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Statutes of Newfoundland

# ACTS

OF THE

## General Assembly

OF

## NEWFOUNDLAND

## 1932.

7501

PASSED IN THE TWENTY-SECOND YEAR OF THE  
REIGN OF HIS MAJESTY KING GEORGE V.

(SECOND SESSION)

*By His Excellency Sir John Middleton, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief in and over the Colony of Newfoundland.*

1932



533995  
21.2.52

ST. JOHN'S, NEWFOUNDLAND.

David R. Thistle, King's Printer.

1932.





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## NEWFOUNDLAND.



ANNO VICESIMO SECUNDO

(SECOND SESSION)

## GEORGII V. REGIS

## CAP. I.

AN ACT TO MAKE PROVISION FOR CONTROLLING  
THE EXPORT OF GOLD AND FOR REGULATING THE CURRENCY. A.D. 1932.

(Passed April 30, 1932)

## SECTION

- 1.—Prohibition of export of gold save under license.
- 2.—Certain bank notes to be legal tender, etc.
- 3.—Certain banks need not redeem notes in gold.
- 4.—Regulations, etc., to be tabled.

## SECTION

- 5.—Rescission, renewal and amendment of Regulations, etc.
- 6.—Retrospective operation of Act.
- 7.—Period of operation of Act.
- 8.—Short Title, etc.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

Prohibition of  
export of gold  
save under  
license.

1. (1) The export of gold from Newfoundland or its Dependencies, save under license of the Governor or in Council, is hereby prohibited.
- (2) The Governor in Council may make regulations:—
  - (a) for the doing of any matter or thing necessary to control the movement or export of gold;
  - (b) for the granting of licenses to export gold; and
  - (c) for any other purpose necessary for the effective carrying out of the provisions of this Section;

and may appoint penalties for a breach of this Section or of any regulation, not exceeding in any case the value of the gold unlawfully moved or dealt with.

Certain bank  
notes to be  
legal tender,  
etc.

2. (1) The notes of the following banks, namely: the Bank of Montreal, the Bank of Nova Scotia, the Canadian Bank of Commerce and the Royal Bank of Canada, duly issued and valid under the law of Canada shall pass current and be legal tender in Newfoundland and its Dependencies, and without prejudice to the generality of the foregoing such notes shall hereafter be legal tender in satisfaction of any obligation to pay in gold coin or other specific legal tender; provided always that it shall at any time be lawful for any person to whom any notes of any one of the said banks are tendered to require the substitution within a reasonable time of notes of any other or others of the said banks.
- (2) Nothing herein shall prevent anything which was heretofore by law legal tender from continuing so to be.



3. The said banks shall, during the period of operation of this Act, be not under obligation to redeem their notes in gold or gold coin on demand. Certain banks need not redeem notes in gold.

4. All Regulations made under this Act shall be laid upon the Tables of both Houses of the Legislature within fifteen days after the commencement of the next ensuing Session. Regulations, etc., to be tabled.

5. Every Regulation made under this Act shall have the force and effect of law, and may be rescinded, renewed or amended by further Regulation whenever and so often as the Governor in Council may deem fit. Rescission, renewal and amendment of Regulations, etc.

6. This Act shall be deemed to have had effect as from the 31st day of December, 1931. Retrospective operation of Act.

7. This Act shall unless sooner repealed cease to have effect as from the earliest of the following dates: Period of operation of Act.

(1) 31st December, 1934.

(2) A date three months after the date on which the Government of Newfoundland shall cease to be indebted to the said Banks in respect of Temporary Debentures.

(3) The date on which the embargo on the export of gold from Canada is withdrawn.

The true dates mentioned in Clauses 2 and 3 above shall be ascertained by the Governor in Council and communicated to the public by a Notice in *The Newfoundland Gazette* under the hand of the Secretary of State and for the purposes of any transaction in Newfoundland the dates stated in any such Notice shall be held conclusively to be correct.

Short Title, etc      8. This Act shall be read in conjunction with the Act  
8 George V., Chapter 35, entitled "The Currency Act,  
1917," and the two together may be cited as "The Cur-  
rency Acts, 1917 to 1932."

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

## GEORGII V. REGIS

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*CAP. II.*

AN ACT FOR THE CONFIRMATION OF A CERTAIN  
LOAN IN CONNECTION WITH THE WESTERN A.D. 1932.  
MARINE RAILWAY FROM THE BANK OF  
MONTREAL.

Passed April 30, 1932.

## SECTION—

- 1.—Borrowing of \$35,000 from  
Bank of Montreal confirm-  
ed.

## SECTION—

- 2.—Indebtedness of Dominion  
declared.  
3.—Temporary Debenture to  
be issued.

Whereas in the year 1925 the Governor in Council advanced by way of loan to the Western Marine Railway, Limited, the sum of Thirty-five thousand dollars, whereof the sum of Four thousand dollars has been repaid to the Government; and the remainder is still outstanding.



And Whereas the said sum of Thirty-five thousand dollars was in the month of April 1925 borrowed by the Governor in Council from the Bank of Montreal, and \$4,000.00 thereof has been repaid by the Government to the said Bank.

And Whereas there was and is no statutory authority for the said borrowing.

*Be it Therefore Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—*

Borrowing of  
\$35,000 from  
Bank of Mon-  
treal confirmed

1. The action of the Governor in Council in borrowing the said sum of Thirty-five thousand dollars from the Bank of Montreal is hereby approved and confirmed.

indebtedness  
of Dominion  
declared.

2. It is hereby declared that this Dominion is lawfully indebted to the Bank of Montreal in the sum of Thirty-one thousand dollars repayable on demand together with interest at the rate of six per centum per annum, including any interest outstanding and unpaid at the date of the passing hereof.

Temporary De-  
benture to be  
issued.

3. The Governor in Council shall cause to be issued to the Bank a temporary debenture in the terms of Section 2 hereof, signed by such persons as the Governor in Council may direct.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS,

## CAP. III.

AN ACT TO AMEND THE ACT 22 GEORGE V., CHAP-<sup>A.D. 1932</sup>  
 TER 25, ENTITLED "AN ACT RESPECTING  
 THE EXPORT OF MARINE SHELL FROM LAB-  
 RADOR AND THE ISLANDS ADJACENT THERE-  
 TO."

(Passed April 30, 1932)

SECTION 1.—Repeal of Sec. 1, 22 Geo. V., Chapter 25.

*Be it Enacted by the Governor, the Legislative Council and  
 House of Assembly, in Legislative Session convened, as  
 follows:*

1. Section 1 of 22 George V., Chapter 25, entitled an<sup>Repeal of Sec.</sup>  
 Act respecting the export of Marine Shell from Labrador<sup>1, 22 Geo. V.,</sup>  
 and the Islands adjacent thereto, is hereby repealed and<sup>Chapter 25.</sup>

the following substituted therefor: The Northern Products Company, Limited, a company incorporated under the laws of Newfoundland, is hereby granted, subject to the conditions hereinafter set forth and except as hereinafter provided, for a period of five years from the Thirty-First day of July, One Thousand Nine Hundred and Thirty-Two, the exclusive right to export marine shell from Labrador and the islands adjacent thereto."



## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

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CAP. IV.

AN ACT TO AMEND THE ACT 18 GEORGE V. CHAPTER 3 (1927) ENTITLED "AN ACT FOR THE CONFIRMATION OF AN AGREEMENT BETWEEN THE GOVERNMENT AND HOLYROOD POND FISHERIES LIMITED." BE-A.D. 1932.

(Passed April 30, 1932)

## SECTION

- 1.—Amendment of Clause 7 of Agreement.
- 2.—Amendment of Clause 8 of

## SECTION

- Agreement.
- 3.—Saving of rights notwithstanding lapse.

WHEREAS the Holyrood Pond Fisheries Limited undertook to inaugurate and carry on certain fishery operations at and in Holyrood Pond and vicinity and to expend certain sums of money in the construction of a Fishery

Plant and works within a certain time in consideration of certain rights and privileges conferred upon the company by the said Act and the Agreement forming the Schedule thereto.

AND WHEREAS the time limit having expired it is deemed expedient and advisable to grant to the company an extension of the time for the construction of said fishery plant and works in order that the said fishery operations may be inaugurated and carried on.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:*

Clause 7 of Agreement. Amendment of Saving of rights notwithstanding lapse. 1. Clause 7 of the Agreement forming the Schedule to the said Act is amended by deleting the words and figures "thirty-first day of December, A.D. 1928" in the third and fourth lines of said Clause, and the words and figures "31st day of December A.D. 1928" in the twelfth line of said Clause, and substituting therefor respectively the following words and figures, namely "31st day of December A.D. 1933."

Amendment of Clause 8 of Agreement. 2. Clause 8 of the Agreement forming the Schedule to the said Act is amended by deleting the words "within three years from the date of the ratification of this agreement" and substituting therefor the following words and figures, namely, "before the 31st day of December A.D. 1933."

Saving of rights notwithstanding lapse. 3. Notwithstanding the expiration of the time for doing certain things as set forth in the seventh and eighth clauses of the said Agreement, the exclusive right of fishing in said Holyrood Pond in the manner set forth in Clause 4 of said Agreement, and the exclusive right of selecting and obtaining from the Government a demise of the right to use the waters and water powers set forth in Clause 7 of the said Agreement and all other rights con-

ferred by the said Act and the Schedule thereto shall be deemed not to have lapsed, and the said exclusive rights and every of them shall subsist and be deemed to have subsisted as from the date of the passing of said Act, and shall enure and continue for the periods set forth in the said Act, subject to the amendments contained in Sections 1 and 2 of this Act, according to all the terms of the said Act and the Schedule thereto.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

CAP. V.

A.D. 1932.

AN ACT FURTHER TO AMEND THE ST. JOHN'S  
MUNICIPAL ACT, 1921.

(Passed April 30, 1932).

## SECTION

- 1.—Repeal.
- 2.—Council may borrow \$3,-  
500,000.
- 3.—Amortization of capital  
expenditures: Sinking

## SECTION

- Fund.
- 4.—Provisions regarding taxa-  
tion.
- 5.—Repeal of Section 279.
- 6.—Short Title.

*Be it Enacted by the Governor, the Legislative Council and  
House of Assembly, in Legislative Session convened, as  
follows:*

Repeal.

1. Section 83 of the St. John's Municipal Act 1921  
(hereinafter called the Principal Act) is hereby repealed  
and the following is substituted therefor:—



“83. The money necessary to defray the cost of such local improvements as above described may be borrowed by the Council from a bank or banks or by the issue of notes or debentures.”

2. Anything in the Principal Act to the contrary notwithstanding:—

Council may  
borrow  
\$3,500,000.

(a) The Council may borrow a sum not exceeding three million five hundred thousand dollars for Municipal purposes by the issue and sale or hypothecation of bonds, and for this purpose by a special by-law create a first charge upon the assets and revenues of the City or the property or revenue of any public utility owned by the City which shall rank next after the present indebtedness of the City of two million dollars owed to and/or purporting to be guaranteed by the Government of the Colony.

(b) Before any special by-law for this purpose shall be passed by the Council at least two weeks' previous notice thereof in writing shall be given at a regular meeting of the Council, and such by-law must receive the affirmative votes of at least four of the six Councillors.

(c) The City shall out of the proceeds of the said loan in excess of five hundred thousand dollars repay the said present indebtedness of the City to and/or purporting to be guaranteed by the Government of the Colony, and upon such repayment Sections 276 and 277 of the Principal Act shall cease to have effect.

(d) The bonds to be issued under sub-section (a) of this section may be issued for such period or periods, not exceeding forty years, as the Council may authorise.

3. (a) The City shall make provision for the amortization of capital expenditures made out of the Sinking Fund.

Amortization  
of capital  
expenditures:  
Sinking Fund.

proceeds of the said loan according to the purposes for which such expenditure is utilized. Where the expenditure has been made for the acquisition or construction of land, buildings, water and sewerage extensions or iron, steel or masonry bridges, the amortization period shall not exceed forty years; for streets and sidewalks of tar, macadam or such like material, ten years; for streets of concrete or asphalt or of stone block or similar construction, thirty years. In cases not herein specifically provided for the amortization period shall be determined by the Council, but shall not in any case exceed forty years.

- (b) All sums so provided for amortization shall be paid into and form part of the sinking fund to be set up as hereinafter provided.
- (c) The Council shall establish a sinking fund for the redemption of the said bonds upon such terms as may be arranged with the purchasers or underwriters thereof. Such sinking fund shall not be retained under the control of the Council, but shall be paid over to a bank, trust company or other like depositary as trustee for the holders of the bonds.
- (d) In its arrangement with such Trustee the Council may provide for the application of the sinking fund to the reduction of the said loan by the retirement of the said bonds either by drawings or by purchase in the market or both, and all bonds so retired shall be cancelled.

Provisions  
regarding  
taxation.

4. The City shall not during the currency of the said loan be subjected to any discriminatory taxation which would impair the security for the said loan.

Repeal of  
Section 279.

5. Section 279 of the Principal Act is hereby repealed.

Short Title.

6. This Act may be cited as the *St. John's Municipal (Loan) Act 1932*.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

# GEORGII V. REGIS.

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### CAP. VI.

AN ACT RESPECTING A VACANCY IN THE OFFICE A.D. 1932  
OF MAYOR OF ST. JOHN'S.

(Passed April 30, 1932)

SECTION 1—Not necessary to fill vacancy notwithstanding  
provisions of Sec. 26 of the St. John's Municipal Act, 1921

WHEREAS a vacancy has recently occurred in the  
office of Mayor of St. John's.

AND WHEREAS by Section 26 of the St. John's  
Municipal Act 1921 such vacancy must be filled by an elec-  
tion to be held before September 30th, 1932.

AND WHEREAS the term of the present Council ex-  
pires by efflux of time at the end of 1933, and in the present

state of the city finances it is desirable to avoid the expense of holding an election in 1932.

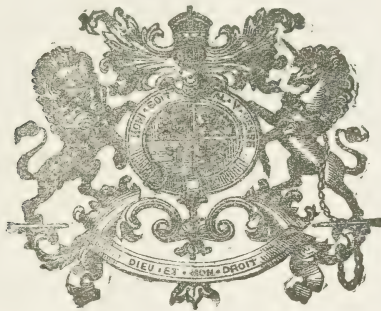
*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

Not necessary  
to fill vacancy  
notwithstanding  
provisions  
of Sec. 26 of  
the St. John's  
Municipal Act,  
1921.

1. Notwithstanding the provisions of Section 26 of The St. John's Municipal Act 1921, it shall not be necessary to fill the vacancy created by the death of the late Mayor Charles J. Howlett until the civic election to be held in the year 1933 as provided in Section 21 of the same Act.



## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGI V. REGIS.

## CAP. VII.

AN ACT TO AMEND CHAPTER 2 OF THE CONSOLIDATED STATUTES (THIRD SERIES) ENTITLED "OF THE HOUSE OF ASSEMBLY." A.D. 1932.

(Passed April 30, 1932).

## SECTION

1.—Amendment of Sec. 3 of  
Cap 2, C.S. (Third Series)

## SECTION

(25) Number of members  
to be returned.

*Be it Enacted by the Governor, the Legislative Council and  
House of Assembly, in Legislative Session convened, as  
follows:*

1. From and after the dissolution of the present General Assembly the following shall stand as and be Section 3 of Chapter 2 of the Consolidated Statutes (Third Series).  
Amendment of Sec. 3 of Cap. 2, C.S. (Third Series).

entitled "Of the House of Assembly," and the present Section 3 enacted in and by the Act 15 George V. Chapter 8 shall stand repealed from and after the said dissolution:

3. The representation in the House of Assembly shall be as follows, that is to say:—

#### ST. BARBE

St. Barbe

(1) The District of St. Barbe shall consist of and include all that part of the Island extending from the centre of the Mouth of Gregory River, North Easterly following the coast line to the West point of Open Bay in the Straits of Belle Isle, bounded thence on the East by a line running South 24 degrees West until it intersects a line running due East from the centre of the mouth of the Gregory River and thence West by said line to the centre of the mouth of Gregory River aforesaid, together with all Islands adjacent thereto. True Bearings.

#### WHITE BAY

White Bay.

(2) The District of White Bay shall consist of and include all that part of the Island extending from Cape St. John Northerly following the coast line to the West Point of Open Bay, in the Straits of Belle Isle, bounded thence on the West by a line running South 24 degrees West until it intersects a line running due East from the centre of the mouth of Gregory River, thence by a line running due East 41 miles more or less, thence North 25 degrees East  $17\frac{1}{2}$  miles, North  $49^{\circ}$  East  $13\frac{1}{2}$  miles, North  $60^{\circ}$  East twenty miles and North  $64^{\circ}$  East 18 miles more or less to Cape St. John aforesaid, together with all Islands adjacent thereto. True Bearings.

#### GREEN BAY

Green Bay.

(3) The District of Green Bay shall consist of and include all that part of the Island extending from Cape St. John Southerly following the Coast to Phillip's Head in the Bay of Exploits, thence due West to a point due

South of the South East angle of the District of White Bay, thence due North to the said South East angle of the District of White Bay and thence North Easterly following the Southern boundary of the District of White Bay, North 25 degrees East 17½ miles, North 49 degrees East 13½ miles, North 60 degrees East 20 miles North 64 degrees East 18 miles more or less to Cape St. John aforesaid, together with all Islands adjacent thereto being between Cape St. John and the North Head of the Bay of Exploits, including Gull Island near Cape John. True Bearings.

#### GRAND FALLS

(4) The District of Grand Falls shall consist of and <sup>Grand Falls.</sup> include all that part of the Island within the following boundaries, that is to say: By a line commencing at a point at Phillip's Head, on the West shore of Exploits Bay, running thence due West 60 miles, thence due South 15 miles, thence due West 17 miles, then due South 15 miles, thence in a straight line bearing South 50 degrees West and passing North West of Cormack Lake to the 58th Meridian of West Longitude thence South by said 58th Meridian of West Longitude to its intersection with the 48th parallel of North Latitude thence by said 48th parallel of North Latitude East to its intersection with the 57th Meridian of North Longitude thence in a straight line bearing North 50 degrees East to its intersection with the 56th Meridian of West Longitude thence in a straight line bearing due East 67 miles more or less to a straight line running due South from the bottom of Dog Bay thence by said straight line due North 47 miles thence due West by a straight line to a point on the Eastern shore of Lewisporte Bay, which point is two miles North of the bottom of said Bay, North Latitude, thence following the coast line of Lewisporte Bay and the Bay of Exploits Northerly to Phillip's Head aforesaid. True Bearings.

#### TWILLINGATE

(5) The District of Twillingate shall consist of and <sup>Twillingate.</sup> include the Islands of Twillingate and New World Island

and the following adjacent islands: Salt Harbour Island, Ship Cove Island, Trump Island, Black Island adjacent to Trump Island, Exploits Islands, Samson's Islands, Swan Island, Upper Black Island, Seeviour's Island, Cottle's and Black Islands, and all other islands off and adjacent to the coast between North Head of Exploits Bay and Farewell Head, together with that part of the mainland lying North of the Northern Boundary of the District of Grand Falls and between the East shore of Lewisporte Bay and the West boundary of the District of Fogo. True Bearings.

### FOGO

**Fogo.**

(6) The District of Fogo shall consist of and include all that part of the Island extending from Farewell Head Southerly and Easterly following the Coast to the North bill of Cape Freels, thence West to the 54th Meridian of West Longitude thence South to the 49th parallel of North Latitude thence West along the said 49th parallel of North Latitude to a straight line running due South from the bottom of Dog Bay, thence due North by said straight line to a point four miles due North of the bottom of Dog Bay and then North 47 degrees East 5 miles more or less to Farewell Head aforesaid, together with Fogo Island and all other Islands adjacent thereto lying between a line bearing due North from the North bill of Cape Freels and a line bearing due North from Farewell Head. True Bearings.

### BONAVISTA NORTH

**Bonavista  
North.**

(7) The District of Bonavista North shall consist of and include all that part of the Island between the North Bill of Cape Freels on the North, and the North Point at the entrance of Eastport on the South, bounded as follows, that is to say by a line commencing at the North Bill of Cape Freels and running in a straight line due West to the 54th Meridian of West Longitude thence due South along said 54th Meridian of West Longitude to its intersection with the 49th Parallel of North Latitude thence due West along said 49th parallel of North Latitude to its intersection



with a straight line running due South from the bottom of Dog Bay, thence in a straight line due South 33 miles, thence North 81 degrees East to a point one mile due South of the bottom of Broad Cove, and thence North 53 degrees East to the North point at the entrance of Eastport Bay, thence Northerly following the coast line to the North Bill of Cape Freels, aforesaid, together with all Islands adjacent thereto and lying North of a line bearing North 53 degrees East from the North point of Eastport Bay. True Bearings.

### BONAVISTA SOUTH

(8) The District of Bonavista South shall consist of <sup>Bonavista</sup> and include all that part of the Island lying between the <sup>South.</sup> North Point at the entrance of Eastport Bay on the North and Cape Bonavista on the South, bounded as follows, that is to say by a line commencing at Cape Bonavista and bearing South 15 degrees West 15 miles, thence South 69 degrees West 38½ miles to the Bonavista Branch of the Newfoundland Railway, thence due West to a point due South of the South West angle of the District of Bonavista North, thence due North to the said South West angle of the District of Bonavista North, thence North 81 degrees East to a point 1 mile due South of the bottom of Broad Cove and thence North 53 degrees East to the North Point at the entrance of Eastport Bay, thence Southerly following the coast line to Cape Bonavista aforesaid, together with all Islands adjacent thereto. True Bearings.

### TRINITY NORTH

(9) The District of Trinity North shall consist of <sup>Trinity North.</sup> and include all that part of the Island lying between Cape Bonavista on the North and the South Head of St. Jones Without on the South, bounded as follows, that is to say: By a line commencing at the South Head of St. Jones Without and running in a straight line due West to a point bearing due South of the South West angle of the District of Bonavista South, thence in a straight line due North to the said South West angle of the District of Bonavista South,

thence in a straight line due East to the Bonavista Branch of the Newfoundland Railway, thence North 69 degrees East  $38\frac{1}{2}$  miles, and thence North 15 degrees East 15 miles more or less to Cape Bonavista, and thence Southerly following the coast line to and including the South Head of St. Jones Without aforesaid; together with Random Island and all other islands adjacent thereto. True Bearings.

### TRINITY SOUTH

Trinity South. (10) The District of Trinity South shall consist of and include all that part of the Island lying between the South Head of St. Jones Without on the North and the East Point of Lead Cove on the South, bounded as follows, that is to say: By a line commencing at the South Head of St. Jones Without and running in a straight line due West 17 miles, thence in a straight line due South 5 miles, thence due East to the railway track near Glenview, thence following the East side of the said Railway to and excluding Placentia Junction, thence South 57 degrees East 9 miles, thence North 10 degrees East 30 miles, thence North 28 degrees East to and including Lead Cove, thence following the coast line of Trinity Bay to and excluding the South Head of St. Jones Without aforesaid; together with all Islands adjacent thereto. True Bearings.

### CARBONEAR—BAY DE VERDE

Carbonear—  
Bay de Verde. (11) The district of Carbonear-Bay de Verde shall consist of and include all that part of the Island lying between Lead Cove, exclusive, on the North, and the South Point of Carbonear on the South; bounded as follows, that is to say: By a line running due West from the South Point of Carbonear to its intersection with the Carbonear Branch of the Newfoundland Railway, thence following the centre line of said Newfoundland Railway to its intersection with the Main Highroad leading from Harbour Grace to Carbonear near the foot of Saddle Hill thence due West to the East boundary of the District of Trinity South thence North 28 degrees East to and excluding Lead Cove, thence following the coast line Southerly to the South Point of

Carbonear aforesaid, the point of commencement; together with Bacalieu Island adjacent thereto, and excluding the whole settlement of Bristol's Hope. True Bearings.

### HARBOUR GRACE

(12) The District of Harbour Grace shall consist of <sup>Harbour Grace.</sup> and include that part of the Island lying between the South Point of Carbonear on the North and Spaniard's Bay and Shearstown, inclusive, on the South, bounded as follows, that is to say: By a line commencing at the South Head of Carbonear and running due West to the centre of the Carbonear branch of the Newfoundland Railway, thence along the centre line of said Newfoundland Railway to its intersection with the Main Highroad leading from Harbour Grace to Carbonear, near the foot of Saddle Hill, thence in a straight line due West to the East boundary of the District of Trinity South, thence South 10 degrees West along said boundary to a point due East of a point on the coast intersected by a line running due East through the intersection of the Main Highway and the Carbonear branch of the Newfoundland Railway near the junction of the said Main Highway and the road leading to Shearstown, thence due East along said East line to said Point on the coast, thence following the coast line Northerly to the South Point of Carbonear, the point of commencement; together with Harbour Grace Island, including the whole settlement of Bristol's Hope. True Bearings.

### PORT DE GRAVE

(13) The District of Port de Grave shall consist of <sup>Port de Grave</sup> and include all that part of the Island lying between Marysvalle, exclusive, on the South, and a Point on the coast intersected by a line running due West through the point of intersection of the Main Highroad with the Carbonear branch of the Newfoundland Railway near the junction of said Main Highroad with the road leading to Shearstown, bounded and described as follows, that is to say: By a line commencing at said point on coast and running due West

to the East boundary of Trinity South, and excluding Shearstown, thence along said boundary South 10 degrees West to the North West angle of the District of Harbour Main, thence by the Northern boundary of the District of Harbour Main North 79 degrees East to the Head of Turks Gut Long Pond, thence following through the centre of said Pond to its outlet, thence following downward the centre of said River to the Head of Three Island Pond, thence following through the centre of said Three Island Pond to its outlet, thence following the centre of the said River downward to a point on the shore of Marysvale where the river enters same, thence Northerly along the coast line to the point of the coast aforesaid intersected by the line running due West through the intersection point of the Main Highway and Carbonear Branch of the Newfoundland Railway. True Bearings.

#### HARBOUR MAIN—BELL ISLAND

Hr. Main—  
Bell Island.

(14) The District of Harbour Main—Bell Island shall consist of and include all that part of the Island lying between Marysvale and St. Thomas, bounded by a line commencing on the shore of Marysvale where the river enters the same, thence following the centre of the said river to its outlet from Three Island Pond, thence through the said Pond to the mouth of the river flowing into it, thence following the centre of the said river to Turk's Gut Long Pond, thence following through the centre of said Pond to the Head thereof, thence in a straight line S. 79 degrees West to the East boundary of Trinity South District, thence by said District South ten degrees West about 12 miles, thence by District of Placentia and St. Mary's South 57 degrees East 18½ miles, thence by the District of Ferryland North 36 degrees East 27½ miles, thence by the District of St. John's West to the shore near and including St. Thomas. Together with Bell Island and all other Islands adjacent thereto.

#### ST. JOHN'S WEST

St. John's West

(15) The District of St. John's West shall consist of and include all that part of the Island bounded as follows,

that is to say: By a line commencing at the Motion Head of Petty Harbour and running in a straight line to the Northern Goulds Bridge (locally known as Doyle's Bridge), thence following the centre of Doyle's Road to Short's Road, thence in a straight line to a point one mile West of Quigley's, thence in a straight line to a bridge being about three-eighths of a mile to the Eastward of the junction of Clarke's Path with the St. Thomas Road and thence in the same straight line to the shore of Conception Bay, thence following the seashore to a point  $1\frac{1}{2}$  miles East of the mouth of the river running into Portugal Cove, thence in a straight line to the junction of the Old Broad Cove Road with the Portugal Cove Road, thence following the North side of Round Pond and Windsor Lake to a point bearing North 30 degrees West (Magnetic Bearing) from the Red Bridge on the Thorburn Road, thence in a straight line to the Red Bridge, thence following the centre line of the Thorburn Road and Freshwater Road to where the Municipal boundary of St. John's City crosses said Freshwater Road, thence entering the Municipality of St. John's City and continuing along the centre line of said Freshwater Road to Carter's Street, thence down the centre line of Carter's Street and Carter's Hill to Theatre Hill and thence along the centre line of said Theatre Hill to the centre line of Duckworth Street and thence Easterly along the centre line of Duckworth Street to the top of Beck's Cove Hill, thence down the centre line of said Beck's Cove Hill to the shore of St. John's Harbour and thence following the shore of St. John's Harbour and passing through the Narrows by the North of Fort Amherst and thence following the coast line Southerly to the Motion Head of Petty Harbour, the point of commencement.

#### ST. JOHN'S EAST

(16) The District of St. John's East shall consist of <sup>St. John's East</sup> and include all that part of the Island bounded as follows, that is to say: By a line commencing at a point where the centre line of Beck's Cove Hill intersects the North shore of the Harbour of St. John's, thence following the centre line of Beck's Cove Hill to the centre of Duckworth Street, thence



Westerly along the centre line of Duckworth Street to the centre of Theatre Hill, thence following the centre line of Theatre Hill to the centre of Carter's Hill, thence following the centre line of Carter's Hill and Carter's Street to the centre of Freshwater Road, thence following the centre line of Freshwater Road to its intersection with the Municipal Boundary of the City of St. John's, thence leaving the Municipality of St. John's and continuing along the centre line of Freshwater Road and Thorburn Road to the Red Bridge, thence North 30 degrees West (Magnetic) to the North shore of Windsor Lake, thence following the said North shore of Windsor Lake and Round Pond on the North to the junction of the Portugal Cove Road with the Old Broad Cove Road, thence in a straight line to the coast line at a point  $1\frac{1}{2}$  miles East of the mouth of the river running into Portugal Cove, thence following the coastline around Cape St. Francis and on to the Narrows of St. John's Harbour and continuing along by the North shore of St. John's Harbour to a point on the North shore of said Harbour intersected by the centre line of Beck's Cove Hill, the point of commencement.

## FERRYLAND

Ferryland.

(17) The District of Ferryland shall consist of and include all that part of the Island lying between Gull Island Point (inclusive) on the West, and Motion Head near Petty Harbour on the East, bounded and described as follows, that is to say: By a line commencing at Motion Head and running in a straight line to the Northern Goulds Bridge (commonly known as Doyle's Bridge), thence by the South Western boundary of St. John's West to the South Eastern boundary of the District of Harbour Main, thence by said South Eastern boundary to the South East angle of said District of Harbour Main, thence South 15 degrees West 21 miles, thence in a straight line to and including Gull Island Point, thence following the coast line Northerly to Motion Head near Petty Harbour, the point of commencement. True Bearings.

## PLACENTIA AND ST. MARY'S

(18) The District of Placentia and St. Mary's shall consist of and include all that part of the Island lying between Gull Island Point on the East and Glenview on the Come-by-Chance River on the West, bounded as follows, that is to say: By a line commencing at Gull Island Point and running North 56 degrees East 18 miles, thence North 15 degrees East 21 miles to the South East angle of the District of Harbour Main, thence along the Southern boundary of the said District and the District of Trinity South to and including Placentia Junction, thence by the West side of the railway track to Glenview Station, thence West-erly to the Come-by-Chance River, thence following the centre of the Come-by-Chance River to its mouth and thence following the coast line Southerly and Easterly to Gull Island Point, the point of commencement; together with Crawley's Island, Long Harbour. True Bearings.

## PLACENTIA WEST

(19) The District of Placentia West shall consist of and include all that part of the Island lying between Glenview on the East and the North Point of Port au Bras (exclusive) on the West, bounded and described as follows, that is to say: By a line commencing at the centre of Come-by-Chance River at Glenview, running thence due West 4 miles, thence due North 6 miles to the Southern boundary of the District of Trinity North, thence due West to a line running due South from the bottom of Dog Bay and the East boundary of the District of Fortune Bay and Hermitage, thence by said East boundary due South 25 miles, South 37 degrees West  $7\frac{1}{2}$  miles, South 60 degrees West 17 miles, South 48 degrees West 7 miles, South 21 degrees West  $5\frac{1}{2}$  miles, South 43 degrees West 17 miles, thence East to a point bearing North 26 degrees West from the North point of Port au Bras, thence in a straight line to said North Point of Port au Bras, thence following the coast line Northerly to the mouth of Come By Chance River and thence by the centre of said

River to Glenview, the point of commencement; together with all islands in Placentia Bay including Davis and Flat Islands, with the exception of Crawley's Island, Long Harbour. True Bearings.

### BURIN

Burin.

(20) The District of Burin shall consist of and include all that part of the Island lying between Devil Brook Head on the West and the North Point of Port au Bras on the East bounded as follows, that is to say: By a line commencing at the North point of Port au Bras Head running thence North 26 degrees West 4 miles, thence West to a point bearing South 43 degrees West from the South East corner of the District of Fortune, thence in a straight line to said South East corner of the District of Fortune, thence in a straight line Westerly to and including Devil Brook Head, thence following the coast line Southerly and Easterly to the North Point of Port au Bras, the point of commencement; together with all islands adjacent thereto, except Brunette Island. True Bearings.

### FORTUNE BAY AND HERMITAGE

Fortune Bay  
and Hermitage.

(21) The District of Fortune Bay and Hermitage shall consist of and include all that part of the Island lying between Devil Brook Head, exclusive, on the East, and the West Point of McCallum Bay (inclusive) on the West, bounded and described as follows, that is to say: By a line commencing at the West Point of McCallum Bay and running due North to the 48th parallel of North Latitude, thence following the said 48th parallel of North Latitude to the West boundary of the District of Trinity North, thence due South 25 miles, thence South 37 degrees West  $7\frac{1}{2}$  miles, thence South 60 degrees West 17 miles, thence South 48 degrees West 7 miles, thence South 21 degrees West  $5\frac{1}{2}$  miles, thence in a straight line to and excluding Devil Brook Head, thence following the coast Westerly to the Western Point of McCallum Bay aforesaid; together with the islands of Brunette and Sagona and the other islands adjacent thereto. True Bearings.

## BURGEO AND LAPOILE

(22) The District of Burgeo and LaPoile shall consist of and include all that part of the Island lying between Cape Ray (inclusive) on the West and the Western point of McCallum Bay (exclusive) on the East, bounded as follows, that is to say: By a line commencing at a point at Cape Ray and running North 44 degrees East to its intersection with the 48th parallel of North Latitude, thence East along the said 48th parallel of North Latitude to a point due North of the Western point of McCallum Bay, thence due South in a straight line to said Western point of McCallum Bay, and thence following the coast line Westerly to and including Cape Ray aforesaid; together with all islands adjacent thereto. True Bearings.

## ST. GEORGE'S—PORT-AU-PORT

(23) The District of St. George's—Port-au-Port shall consist of and include all that part of the Island lying between Cape Ray, (exclusive) on the South and Bluff Head, Port-au-Port Bay on the North, bounded as follows, that is to say: By a line commencing at a point at Cape Ray and running North 44 degrees East to a point on the South Shore of Grand Lake near Little Grand Pond Brook, thence following said South Shore of Grand Lake Westerly and Northerly to a point on the West Shore of Grand Lake bearing due East from Bluff Head in Port-au-Port Bay, thence in a straight line due West to said Bluff Head, thence following the coast line Southerly to, but excluding Cape Ray aforesaid, together with all islands adjacent thereto.

## HUMBER

(24) The District of Humber shall consist of and include all that part of the Island lying between Bluff Head in Port au Port Bay and the centre of the mouth of Gregory River, bounded as follows, that is to say: By a line commencing at Bluff Head and running East 75 miles, thence

North 12 miles, thence East 17 miles, thence North 25 miles to a point bearing East from the centre of the mouth of Gregory River and thence West to the centre of the mouth of Gregory River; together with the islands adjacent thereto.

Number of  
members to be  
returned.

(25) Each of the aforesaid Districts shall return one member to the House of Assembly, except St. John's East, St. John's West and Harbour Main—Bell Island, each of which three districts shall return two members.



## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGH V. REGIS.

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CAP. VIII.

AN ACT TO MAKE PROVISION FOR THE HOLDING A.D. 1932  
OF A GENERAL ELECTION IN THE YEAR 1932.

(Passed April 30, 1932.)

## SECTION

- 1.—Date of General Election.
- 2.—Lists may be compiled from 1928 lists.
- 3.—Secy. of State shall compile lists.

## SECTION

- 4.—Lists to be certified by Dep. Secy. of State.
- 5.—Unregistered Voters.
- 6.—Extension of polling hours.

WHEREAS on the nineteenth day of April instant the Right Honourable the Prime Minister announced that it was his intention to advise His Excellency the Governor to dissolve the present session of Parliament with a view to a General Election to be held during the early part of the month of June next;

AND WHEREAS the taking in the early Spring and at short notice of new lists of voters for the election would be costly and difficult;

AND WHEREAS the Electoral Districts have been altered;

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

Date of General Election. 1. A General Election of Members of the House of Assembly shall be holden not later than the eleventh day of June, One thousand Nine hundred and thirty-two.

Lists may be compiled from 1928 lists. 2. The lists of electors taken and revised in the year 1928 shall be valid and may be used for the purpose of compiling lists for the election as provided in Section 1 hereof, anything in the Election Act, 1913, to the contrary notwithstanding.

Secy. of State shall compile lists. 3. The Secretary of State shall forthwith cause to be compiled voters lists for the new electoral districts from the said revised lists taken in 1928, and for such purpose, he shall cause such parts of the lists to be transferred from one electoral district to another as may be necessary in view of the alteration in the numbers and boundaries of districts, but so that all the names of the voters in every town or settlement appearing in the said lists of 1928 shall appear in such list as may be proper under the new distribution of districts; and after the said new lists have been so compiled no revision by Magistrates shall be necessary; and the said lists as so compiled shall be used for the election provided to be held by Section 1 hereof.

Lists to be certified by Dep. Secy. of State. 4. The said new lists as compiled shall be certified by the Deputy Secretary of State, and it shall not be necessary that the names of the Magistrates who revised the original lists be signed to or printed on the said new lists.

5. Nothing herein shall prevent the taking of the votes under Section 68 of the Election Act, 1913, of duly qualified voters whose names do not appear in the lists provided for by this Act. <sup>Unregistered Voters.</sup>

6. In order to make provision for the recording of the votes of the increased number of voters likely to be found unregistered by reason of new lists not having been taken since 1928, polling booths in all districts shall remain open on Polling Day until ten p.m. <sup>Extension of Polling Hours.</sup>

7. Section 33 of Chapter 3 of the Consolidated Statutes (Third Series) entitled "Of the Election of Members of the House of Assembly" is hereby repealed. <sup>Repeal.</sup>

8. Nothing herein shall prevent the application of any part of the general law relating to Elections except as herein otherwise specifically provided. <sup>Saving of General Election Law.</sup>

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGH V. REGIS.

## CAP. IX.

A.D. 1932.

AN ACT TO AMEND CHAPTER 4 OF THE CONSOLIDATED STATUTES (THIRD SERIES) ENTITLED "OF LEGISLATIVE DISABILITIES AND THE VACATION OF SEATS IN THE HOUSE OF ASSEMBLY."

(Passed April 30, 1932)

## SECTION

1.—Amendment of Sec. 2,  
Cap. 4, C.S. 1916.

## SECTION

2.—Amendment of Sec. 3,  
Cap. 4, C.S. 1916.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

Amendment of  
Sec. 2, Cap 4,  
C.S. 1916.

1. Sub-section (15) of Section 2 of Chapter 4 of the Consolidated Statutes (Third Series) entitled "Of Legis-

lative Disabilities and the Vacation of Seats in the House of Assembly," as enacted by the Act 15 George V, Chapter 9 is hereby repealed and the following substituted therefor:

- (15) Any person who shall accept the office, place or appointment and remuneration of a Director of the International Power & Paper Company of Newfoundland, Limited, as a result of his nomination by the Governor in Council as a Government Director of that Company under Clause 2, sub-clause (m) paragraph (4) of the Agreement forming the Schedule to the Act 18 George V, Chapter 4.

2. Section 3 of the said Chapter is hereby amended by striking out the words and figures "13 and 14 of Section 2 of this Chapter," and substituting therefor the words and figures "13, 14 and 15 of Section 2 of this Chapter."

Amendment of  
Sec. 3, Cap. 4,  
C.S. 1916.



## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGE V. REGIS

CAP. X.

A.D. 1932.

AN ACT FURTHER TO AMEND CHAPTER 105 OF  
THE CONSOLIDATED STATUTES (THIRD SER-  
IES) ENTITLED "OF LOTTERIES."

(Passed April 30, 1932)

## SECTION

- 1.—Amendment of Sec. 1, Cap. 105, C.S. 1916.
- 2.—Repeal of and Substitution for Sec. 3.
- 3.—Repeal.
- 4.—Repeal.
- 5.—Repeal of and Substitution Sec. 6.
- (1) (a) Lotteries Licensing Board.
- (b) Unlicensed lotteries forbidden.
- (c) Bond or deposit in certain cases.

## SECTION

- (d) Office to be maintained in St. John's.
- (e) Provisions as to existing Licenses.
- (f) Conditions as to disposition of proceeds: penalty for breach.
- (g) Conditions as to control of moneys, keeping and audit of records, etc.
- (h) Fraudulent practices: penalty.

## SECTION

- (i) Returns to be made to  
Dept. of Justice.
- (j) Penalty for breaches  
of Act.

## SECTION

- (2) (a) Transactions exempt-  
ed from operation of  
Act.
- 6.—Amendment of Sec. 7,  
Cap. 105.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

1. Section 1 of Chapter 105 of the Consolidated Statutes (Third Series) as amended by the Act 12 George V. Sec. 1 Cap. 105 C.S. 1916. Cap. 19, is hereby further amended by inserting after the words "any mode of chance whatever" in the second place where they occur, the words "unless in connection with a lottery or sweepstake licensed or permitted under this Chapter" and by striking out the words "a sum not exceeding two hundred dollars"; and substituting therefor the words "a sum not exceeding one thousand dollars"; and by adding at the end thereof the words "and in default of payment such person shall be liable to imprisonment for a period not exceeding six months."

2. Section 3 of the said Chapter is hereby repealed and the following substituted therefor: Repeal of and  
substitution for  
Sec. 3.

3. Any transfer of any money or property by means of any lottery ticket, sweepstake ticket, or scheme of chance other than a lottery, sweepstake or scheme of chance licensed under this Chapter shall be void to all intents and purposes: Provided that any right or title to any property acquired by a *bona fide* purchaser for valuable consideration without notice, shall not be hereby avoided.

3. Section 4 of the said Chapter is hereby repealed. Repeal.

4. Section 5 of the said Chapter is hereby repealed. Repeal.

Repeal of and  
substitution for  
Sec. 6.

5. Section 6 of the said Chapter as amended by the Act 12 George V., Chapter 19, is hereby repealed and the following substituted therefor:

Lotteries  
Licensing  
Board.

6. (1) (a) There shall be a Board consisting of the Secretary of Public Health and Welfare, the Judge of the Central District Court, and the Inspector General of Constabulary, all ex officio, which shall be known as "The Lotteries Licensing Board." The said Board shall serve without remuneration.

Unlicensed  
lotteries  
forbidden.

(b) No person shall conduct within Newfoundland any lottery, sweepstake or other scheme of chance save as hereinafter excepted without first having received a license signed by the Board so to do. Any person or corporation committing an offence against this section shall be liable upon summary conviction to a fine not exceeding One Thousand Dollars, or in default of payment to imprisonment for a term not exceeding six months.

Bond or deposit  
in certain cases

(c) Before issuing any license or permission for the holding of any lottery, sweepstake or scheme of chance the Board shall first satisfy itself as to the character and financial standing of any applicant or applicants for license, and in addition, where the total amount of tickets intended to be sold shall exceed twenty thousand dollars, such applicant or applicants shall furnish to the Board either a bond of a reputable surety or guarantee company to His Majesty in the sum of fifty thousand dollars, or his own bond accompanied by a cash deposit of fifty thousand dollars. Any such bond shall be conditioned for the fulfilment by the applicant or applicants of all the terms and conditions and upon which the license is granted, which shall, except in so far as specified in this Act be determined by the

Board, and all of the requirements of the law of this Dominion relating to lotteries, sweepstakes or schemes of chance, including all laws relating to taxation. Any such cash deposit shall be placed at interest in a Bank by the Board. Upon the termination of any lottery and the complying with the law and with all terms and conditions to the satisfaction of the Board, the Board shall return or cancel the said bond, and, as the case may be, cause the deposit with accrued interest to be returned to the applicant.

- (d) It shall be a condition of every license that there shall be a specific office or place in St. John's at which all the business of the said lottery, sweepstake or scheme of chance shall be conducted, and all the books, records and accounts of every kind shall be kept. <sup>Office to be maintained in St. John's.</sup>
- (e) All permits and licenses for the operation of lotteries and/or sweepstakes existent at the date of the passing of this Act shall be immediately submitted to the Lotteries Licensing Board for approval. <sup>Provisions as to existing licenses.</sup> If such approval is not granted, then all such permits and licenses shall be held to be cancelled as and from a date to be set by the Board, not in any case to exceed three months from the date of the passing of this Act. Any person or corporation who continues to sell, issue or distribute tickets in any lottery or scheme after the cancellation of a permit or license to operate such lottery or scheme as provided for in the preceding sub-section shall be liable upon summary conviction before a Stipendiary Magistrate to a fine not exceeding one thousand dollars, or in default of payment to imprisonment for a term not exceeding six months. For the purpose of this sub-section notice of such cancella-

tion shall be held to be sufficient when a notification authorized by the Board is deposited at the residence of such person, if an individual, or at the registered office of the company, if a corporation. This sub-section shall not apply before December 31st, 1932, to permits or licenses already issued.

Conditions as  
to disposition  
of proceeds:  
penalty for  
breach.

- (f) It shall be a condition of every license that the whole of the proceeds of the lottery, sweep-stake or scheme of chance, save such portion as the Board may in the license allow to be devoted to the payment of expenses, shall be devoted entirely to the charitable purpose for which the permit was granted, and any person who shall either pay or receive for the use or benefit of any other person or for his own use or benefit any sum beyond the sum so allowed for expenses in the license, shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding One Thousand Dollars or in default of payment to imprisonment for a term not exceeding six months.

Conditions as  
to control of  
moneys, keep-  
ing and audit  
of records, etc.

- (g) It shall be a condition of every license that all the moneys received by the sale of tickets or lots shall be brought into this Dominion, and that the applicants shall keep full and complete records and books of account the nature of which may be prescribed by the Board. The Board shall cause the said books, accounts and records to be audited by a chartered accountant or other competent person who shall at all times have free access to all such books of accounts, securities, cash, documents, stubs, bank accounts, vouchers, correspondence and records of every description of the applicants



for or operators of the lottery, sweepstake or scheme of chance.

- (h) The operators of every lottery, sweepstake or <sup>fraudulent</sup> scheme of chance shall in respect of any wilful <sup>practices:</sup> act of such operators whereby any person <sup>penalty.</sup> taking a ticket or chance shall or may have been defrauded of his fair opportunity of winning a prize be liable on summary conviction to a fine not exceeding One Thousand Dollars, or in default of payment to imprisonment for a term not exceeding six months.
- (i) Within one week after granting permission <sup>Returns to be</sup> for the holding of a lottery or sweepstake <sup>made to Dept.</sup> under the provisions of this Chapter, the Board <sup>of Justice.</sup> shall forward to the Minister of Justice the name or names of the person or persons to whom such permit or license shall have been granted together with its reason for giving such permission or license and any condition which may have been attached thereto.
- (j) If any person to whom license or permission <sup>Penalties for</sup> has been given to conduct a lottery or other <sup>breaches of</sup> scheme under the provisions of this Chapter <sup>Act.</sup> fails to observe or perform any condition imposed by the Board in respect of such lottery or scheme he or they shall be deemed guilty of an offence under this Chapter and shall upon summary conviction before a Stipendiary Magistrate be liable to a fine of not more than One Thousand Dollars, or in default of payment to imprisonment for a term not exceeding six months. Any person or corporation issuing, selling or distributing tickets without having first obtained the approval of the Board as provided for in this Chapter shall be liable to a similar penalty punishable in the same manner.

Transactions  
exempted from  
operation of  
Act.

(2) (a) Nothing in this Chapter shall prevent joint tenants, tenants in common or persons having joint interest in any property from dividing any such property by lot or chance in the same manner as if this Chapter had not been passed.

(b) This Chapter shall not apply to nor prevent the acquiring by lot or chance by fishermen of trap-berths for the prosecution of the fisheries.

(c) Any lottery, raffle, or other scheme or chance held in connection with a bazaar, sale, entertainment or the like having for its object the raising of money for or the assisting in other ways of some charitable object within the meaning of this Chapter may be held upon the license of the nearest Stipendiary Magistrate, provided that the total value of the tickets or chances sold shall not exceed Five Hundred Dollars, and that the whole proceeds without any deduction for expenses shall be devoted to the said purpose. Every Stipendiary Magistrate giving any such permission shall within one week forward to the Minister of Justice full particulars in relation to the same.

(3) All actions, prosecutions and other proceedings under this Act may be taken in the name of the Lotteries Licensing Board.

Amendment of  
Sec. 7, Cap. 105  
6. Section 7 of the said Chapter is hereby amended by striking out the words "two months" and substituting therefor the words "six months."

NEWFOUNDLAND



ANNO VICESIMO SECUNDO  
(SECOND SESSION)

GEORGH V. REGIS.

CAP. XI.

SECTION

1.—Increase of certain fees in  
Table B.

SECTION

2.—Increase of certain fees in  
Table C.

AN ACT TO AMEND CHAPTER 127 OF THE CONSOLIDATED STATUTES (THIRD SERIES) ENTITLED "OF COMPANIES." A.D. 1932

(Passed April 30, 1932).

*Be it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:*

1. Table B in the First Schedule of Chapter 127 of the Consolidated Statutes (Third Series) entitled "Of Companies," as re-enacted with amendments by the Act <sup>Increase of certain fees in Table B.</sup>

20 George V., Chapter 18, is hereby further amended as follows:

- (a) By striking out after the words "For registering any documents hereby required or authorized to be registered, other than the Memorandum of Association" the figures "\$3.00" and substituting therefor the figures "\$5.00."
- (b) By striking out after the words "For making a record of any fact hereby authorized or required to be recorded by the Registrar, a fee of" the figures "\$3.00" and substituting therefor the figures "\$5.00."

Increase of  
certain fees  
in Table C.

2. Table C in the said First Schedule as re-enacted with amendments by the Act 20 George V., Chapter 18, is hereby further amended as follows:

- (a) By striking out after the words "For registering any document hereby required or authorized to be registered, other than the Memorandum of Association" the figures "\$3.00" and substituting therefor the figures "\$5.00."
- (b) By striking out after the words "For making a record of any fact hereby authorized or required to be recorded by the Registrar of Companies, a fee of" the figures of "\$3.00" and substituting therefor the figures "\$5.00."

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGH V. REGIS

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CAP. XII.

AN ACT TO AMEND CHAPTER 111 OF THE CONSOLIDATED STATUTES (THIRD SERIES) ENTITLED "OF THE REGISTRATION OF DEEDS AND OTHER DOCUMENTS." A.D. 1932

(Passed April 30, 1932).

SECTION 1—Increase of fees in certain cases.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:*

1. Section 36 of Chapter 111 of the Consolidated Statutes (Third Series) entitled "Of the Registration of Deeds and other Documents," as amended by the Act Increase of fees in certain cases.



20 George V., Chapter 17, is hereby further amended as follows:

- (a) By inserting after the word “stamps” the words “For registering all conveyances and assignments when the actual value of the property passing thereunder does not exceed two hundred and fifty dollars—\$2.50.”
- (b) By striking out the words “For registering all conveyances and assignments when the actual value of the property passing thereunder does not exceed five hundred dollars—\$2.00,” and inserting in lieu thereof the words “When the value exceeds two hundred and fifty dollars but does not exceed five hundred dollars—\$5.00”
- (c) By inserting after the words “hundred dollars or part thereof” where they first occur, the words “For registering all mortgages when the amount secured thereby does not exceed two hundred and fifty dollars—\$2.50.”
- (d) By striking out the words “For registering all mortgages when the amount secured thereby does not exceed five hundred dollars—\$2.00,” and substituting therefor the words “When the amount secured thereby exceeds two hundred and fifty dollars but does not exceed five hundred dollars—\$5.00.”
- (e) By striking out after the words “For registering a release or transfer of mortgage” the figures “\$1.50” and substituting therefor the figures “\$2.50.”
- (f) By striking out the words “When the amount secured thereby exceeds five hundred dollars

then at the rate of twenty cents for each additional one hundred dollars or part thereof" and substituting therefor the following words "When the amount secured thereby exceeds five hundred dollars then at the rate of twenty cents for each additional one hundred dollars or part thereof. Provided however that in the case of any mortgage where the amount secured exceeds the value of the property passing by way of security, the fees shall be calculated upon the value of the property so passing, instead of upon the amount secured."

2. Sections 5 and 38 of the said Chapter are hereby amended by adding at the end of each of them the words "or to hire-purchase agreements, conditional sale agreements relating to chattels, or other like documents not being chattel mortgages within the meaning of Section 30."

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

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CAP. XIII.

A.D. 1932.

AN ACT FURTHER TO AMEND CHAPTER 125 OF  
THE CONSOLIDATED STATUTES (THIRD SER-  
IES) ENTITLED "OF TRUSTEES."

(Passed April 30, 1932)

## SECTION 1.—Amendment of Trustees Act.

*Be it Enacted by the Governor, the Legislative Council and  
House of Assembly, in Legislative Session convened, as  
follows:*

Amendment of  
Trustees Act

1. Section One of Chapter 125 of the Consolidated Statutes (Third Series) entitled "Of Trustees" as amended by the Act 16 George V (1926) Chapter 17 is hereby further amended by adding at the end thereof the following:—

- (5) In any Sinking-Fund Bonds or Debentures issued or to be issued by the City of St. John's, including those issued or to be issued under the authorization of His Excellency the Governor in Council dated the eighth day of July A.D. 1931.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

CAP. XIV.

A.D. 1932.

AN ACT TO AMEND CHAPTER 23 OF THE CONSOLIDATED STATUTES (THIRD SERIES) ENTITLED "OF THE AUDITING OF PUBLIC ACCOUNTS."

(Passed April 30, 1932).

SECTION 1.—Amendment of Section 8 Chap. 23 C.S. (Third Series); Temporary loans.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:*

Amendment of Section 8 Chap. 23 C.S. (Third Series); Temporary loans. 1. Section 8 of Chapter 23 of the Consolidated Statutes (Third Series) entitled "Of the Auditing of Public Accounts" is hereby repealed and the following substituted therefor:

8. (1) The Governor in Council may from time to time, as the exigencies of the public service may require, in the event of the Consolidated Revenue Fund being at any time insufficient to meet the charges lawfully falling or to fall upon it, direct the proper officer to raise by temporary loans chargeable on the said fund, in such manner and form, in such amounts, for such periods not exceeding six months, at such rates of interest not exceeding six per cent. per annum, as the Governor in Council directs, such sums as are necessary to enable the said fund to meet such charges.
- (2) Any sum may be raised by temporary loan in the manner and subject to the conditions aforesaid for the purpose of paying off other temporary loan raised under this Act.
- (3) An account in detail of all temporary loans henceforth to be raised under this Act shall be laid on the Table of the House of Assembly within the first fifteen days of the session then next ensuing.
- (4) The Governor in Council may evidence any such temporary loan by a temporary debenture signed by the Minister of Finance and Customs and the Secretary of State, or in the absence of either or both by such Minister or Ministers as the Governor in Council may direct and countersigned by the Deputy Minister of Finance and Controller of the Treasury.



## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGH V. REGIS.

CAP. XV.

A.D. 1932.

AN ACT TO COMBINE THE DEPARTMENTS OF AGRICULTURE AND OF MINES WITH THE DEPARTMENT OF MARINE AND FISHERIES UNDER THE TITLE OF "THE DEPARTMENT OF LANDS AND FISHERIES."

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

(Passed April 30, 1932).

## SECTION

- 1.—The Department and Minister of Lands and Fisheries.
- 2.—Sub-departments of Lands, Fisheries and Agriculture

## SECTION

- 3.—Deputy, Ministers of Lands, Fisheries and Agriculture.
- 4.—Powers and duties of Deputy Ministers.

## SECTION

- 5.—Appointment of Departmental Officers.
- 6.—Provisions as to duties of officers.
- 7.—Provision as to duties and powers of Minister.
- 8.—Annual Report of Minister.
- 9.—References in other Statutes, etc.
- 10.—Saving of powers, duties and functions of former Departments.
- 11.—Functions of Sub-Department of Lands.
- 12.—Functions of Sub-Department of Fisheries.
- 13.—Sea Fisheries Board.
- 14.—Powers, duties and functions of Board.

## SECTION

- 15.—Fishery Regulations.
- 16.—Canning Regulations.
- 17.—Penalty for violation of Act or Regulations.
- 18.—Recovery of penalties and confiscation of unlawful appliances, etc.
- 19.—Propagation of fish.
- 20.—Propagation of shell-fish, etc.
- 21.—Expropriation of property.
- 22.—Execution of documents on behalf of Crown.
- 23.—Functions of Sub-Department of Agriculture.
- 25.—Repeals.
- 26.—Short Title.  
Schedule of Repeals.

1. There shall be a Department of the Civil Service <sup>The Department and</sup> of the Dominion which shall be called the Department of <sup>Minister of</sup> Lands and Fisheries, over which the Minister of Lands <sup>Lands and</sup> and Fisheries for the time being appointed by the Governor in Council by Commission under the Great Seal of the Dominion shall preside; and he shall hold office during pleasure and shall have the management of the Department of Lands and Fisheries, the execution of the laws relating to the subjects hereinafter enumerated and the direction of the public bodies, officers and servants employed in execution of such laws and others.

2. The said Department shall be divided into three <sup>Sub-depart-</sup> sub-departments, namely: <sup>ments of Lands,</sup>  
<sup>Fisheries and</sup>  
<sup>Agriculture.</sup>

(a) the sub-department of Lands;

(b) the sub-department of Fisheries;

(c) the sub-department of Agriculture.

3. The Governor in Council may appoint three <sup>Deputy, Minis-</sup> officers, who shall be called respectively "The Deputy Min- <sup>ters of Lands,</sup> ister of Lands," "The Deputy Minister of Fisheries," <sup>Fisheries and</sup> and "The Deputy Minister of Agriculture."

and "The Deputy Minister of Agriculture," who shall under the said Minister have charge of the said sub-departments respectively.

Powers and  
duties of  
Deputy Min-  
isters.

4. Whenever the Minister of Lands and Fisheries shall be absent from Newfoundland or incapacitated by illness or if the office of Minister shall be vacant, the Deputy Ministers of Lands, Fisheries and Agriculture shall by virtue of their offices be entrusted with the powers and charged with the duties in relation to their respective sub-departments which belong to the Minister of Lands and Fisheries in relation to such sub-department; and the senior in service of such Deputy Ministers shall exercise such general powers and perform such general duties of the Minister as are not referable to any of the said sub-departments in particular.

Appointment of  
Departmental  
Officers.

5. The Governor in Council may appoint such departmental officers, agents, clerks and servants as are requisite for the proper conduct of the business of the Department, all of whom shall hold office during pleasure.

Provisions as  
to duties  
of officers.

6. Persons employed in any one branch of the Department may be directed by the Minister to perform any duty in or with respect to any other branch.

Provision as to  
duties and  
powers of  
Minister.

7. The Governor in Council may assign any new or other duty or power to the Minister of Lands and Fisheries, and may also assign any of the duties or powers herein enumerated to the Minister of any other Department.

Annual report  
of Minister.

8. The Minister of Lands and Fisheries shall make and submit to the Governor an annual report of the proceedings in his Department, to be laid before both Houses of the Legislature within fifteen days from the commencement of each annual session, showing the state

of each of the Sub-Departments and the amount received and expended in respect thereof, with such further information as may be requisite.

9. In addition to the powers, duties and functions herein set forth the Department shall have all the powers, duties and functions of the Departments of Agriculture, Mines and Marine and Fisheries as heretofore constituted. References in other Statutes etc.

10. Wherever in any statute, proclamation, regulation, order in Council, grant, lease, license, commission, deed, conveyance, certificate, contract, or other document of the like or any other kind heretofore passed or made there appear the terms "Minister of Agriculture and Mines," "Department of Agriculture and Mines," "Department of Agriculture," "Department of Mines," "Minister of Marine and Fisheries," "Department of Marine and Fisheries," the same shall be read as if the words above mentioned were deleted and the words "Minister of Lands and Fisheries," or "Department of Lands and Fisheries" substituted therefor. Saving of powers, duties and functions of former Departments.

## *PART I.*

### *Sub-Department of Lands*

11. The following subjects shall be dealt with in the sub-department of Lands: Functions of Sub-Department of Lands.

- (1) Crown Lands.
- (2) Geology and natural history.
- (3) Mines, minerals and quarries.
- (4) Timber lands.
- (5) Paper mills, pulp mills and all manufactories of timber products.

- (6) Inspection and measurement of lumber.
- (7) Water powers.
- (8) Breeding of inland fishes.
- (9) Surveying.
- (10) Administration of laws relating to manufacture, storage, importation and sale of explosives.
- (11) Administration of laws relating to forest fires.
- (12) Protection of wild fruits.
- (13) Generally, matters relating to Natural Resources not contained in Section 23 hereof.

## *PART II.*

### *Sub-Department of Fisheries.*

Functions of  
Sub-Depart-  
ment of Fish-  
eries.

12. The following subjects shall be dealt with in the Sub-department of Fisheries:

- (1) Pilots and pilotage and decayed pilot funds.
- (2) Beacons, lights, lighthouses and their maintenance.
- (3) Signals and signal stations.
- (4) Steamers and vessels belonging to the Government of the Dominion.
- (5) Harbours, ports and Harbour Masters.
- (6) Classification of vessels.

- (7) Piers, wharves and breakwaters.
- (8) Examination and granting certificates of masters, mates, engineers and others in the merchant service.
- (9) Shipping masters and shipping officers and all matters relating to seamen.
- (10) Ship-building and the inspection of steamers and vessels.
- (11) Inspection of steam boilers.
- (12) Wreck commissioners and enquiries into causes of shipwrecks.
- (13) The administration of all laws relating to sea and coast fisheries, including fisheries for whales, seals, shell fish and crustaceans.
- (14) The canning, packing or preserving of fish, shell fish, hares, rabbits, salt-water birds, seal meat, vegetables and wild fruits.
- (15) Fishery research.
- (16) Generally matters referring to the marine resources, marine works and navigation of the Dominion and its Dependencies.

### *Sea Fisheries Board*

**13.** The Governor in Council may appoint a Board<sup>Sea Fisheries</sup> to be called "The Sea Fisheries Board," of which the<sup>Board.</sup> Minister of Lands and Fisheries shall be Chairman. The said Board shall consist of fifteen members of whom the Minister, or in his absence the Deputy Minister of Fish-



eries, and seven members shall constitute a quorum. The said Board shall hold office during pleasure and shall serve without remuneration.

Powers, duties  
and functions  
of Board.

14. The powers, duties and functions of the said Board shall be to investigate all matters pertaining to the preservation, maintenance, improvement and development of the fisheries, and the trade, commerce and interests of the Dominion, so far as the same are connected with or relate to the fisheries; and to devise, organize and maintain such methods of collecting, preserving and diffusing such knowledge and information as they may consider best adapted to the attainment of such objects.

Provided that in this section the word “ fisheries ” shall not include “ inland fisheries.”

### *Fishery Regulations*

Fishery Regu-  
lations.

15. (1) The Governor in Council on the recommendation of the Sea Fisheries Board may from time to time make regulations for the better management, regulation and conservation of the sea and coast fisheries and the industries connected therewith, and in particular, without prejudice to the generality of the foregoing, regulations for the following:

- (a) To regulate, restrict, control or prevent fishing, or the packing of fish either generally or except under licenses, including the refusal of licenses to offenders against the law or regulations.
- (b) To prevent the wanton or unnecessary destruction of fish.
- (c) To allocate or distribute berths or places for the setting of cod traps, salmon nets or other fishing gear and to appoint the distances

apart at which gear of various kinds may be set.

- (d) To regulate the use of mufflers on marine motor engines.
- (e) To standardize measures or quantities to be used in the purchase or sale of herring.
- (f) To regulate the size of the mesh of nets.
- (g) To regulate the class, nature, construction and material of packages and containers of all kinds to be used for fish.
- (h) To regulate the weights and the manner of packing, branding, marking, stencilling and labelling of packages containing fish.

Provided that in respect of salt codfish the powers set forth in paragraphs (g) and (h) of this sub-section shall be exercised only subject to the exercise of the powers of the Board constituted under "The Salt Codfish Act, 1930."

- (2) All or any of such Rules may be made to apply to the whole Dominion or to any part or parts of the Dominion and subject to any such restrictions or conditions as the Governor in Council may think fit.
- (3) The Governor in Council may provide labels of any kind and direct when, how and to what the same shall be affixed, and what price, if any, shall be charged for the said labels.
- (4) All Regulations made hereunder shall have the force and effect of law and may fix

such modes, times and places as are deemed by the Governor in Council adapted to the different localities and otherwise expedient.

- (5) All regulations shall be published in the Newfoundland Gazette and after publication thereof shall take effect from the date therein fixed or if no date be fixed then from the date of such publication.
- (6) All regulations heretofore made if within the powers set forth in this Section shall be deemed to be and to have been since their making in full force and effect notwithstanding that they may have been *ultra vires* of the Statutes in force before the passing of this Act.
- (7) Any offence against any Regulations made or in force under this Section may be stated as a violation of this Act.
- (8) The words "fish," "fishing" and "fisheries" in this Section shall be held to have reference to whales, seals, crustaceans and shell-fish as well as to all kinds of fish strictly so called.

#### *Canning Regulations*

#### **Canning Regulations.**

16. (1) The Governor in Council on the recommendation of the Minister of Lands and Fisheries (made after conference, in so far as the proposed regulations relate to matters coming under the head of public health, or pure foods with the body for the time being having the supervision of matters relating to public

health), may from time to time make regulations for the better management and control of the business of canning and exporting hares, rabbits, salt water birds, shell fish, seal meat, vegetables and wild fruits, and in particular, without prejudice to the generality of the foregoing, regulations for the following:

- (a) To regulate, restrict, control or prevent the canning of hares, rabbits, salt water birds, shell fish, seal meat, vegetables and wild fruits generally or except under license including power to refuse licenses to offenders against the law or regulations.
  - (b) To regulate the class, nature, construction and material of packages and containers of all kinds to be used in canning or preserving hares, rabbits, salt-water birds, shell fish, seal meat, vegetables, and wild fruits.
  - (c) To regulate the weights and the manner of packing, branding, marking, stenciling and labelling of cans or packages.
  - (d) Providing for the confiscation and destruction or other disposition of goods improperly canned or otherwise dealt with contrary to any regulation made under this Act.
- (2) All or any of such Rules may be made to apply to the whole Dominion or to any part or parts of the Dominion and subject to any such restrictions or conditions as the Governor in Council may think fit, and shall be administered by the Minister of Lands and Fisheries.

- (3) The Governor in Council may provide labels of any kind and direct when, how and to what the same shall be affixed, and what price, if any, shall be charged for the said labels.
- (4) All Regulations made hereunder shall have the force and effect of law and may fix such modes, times and places as are deemed by the Governor in Council adapted to the different localities and otherwise expedient.
- (5) All Regulations shall be published in the Newfoundland Gazette and after publication thereof shall take effect from the date therein fixed or if no date fixed then from the date of such publication.
- (6) Any offence against any Regulations made under this Act may be stated as a violation of this Act.
- (7) Any canned goods confiscated to His Majesty by virtue of Regulations made under this Act, shall be destroyed or may be sold or otherwise disposed of as provided in the regulations, or in default thereof, as the Minister of Lands and Fisheries may deem fit, and the proceeds, if any, shall be paid to the Minister of Finance and Customs for the use of the Dominion.

### *Penalties*

Penalty for  
violation of  
Act or Regula-  
tions.

17. Except where otherwise specifically provided every one who violates any provision of this Act, or of regulations made under it, shall be liable to a penalty not exceeding one hundred dollars and costs, and in default of payment to imprisonment for a term not exceeding two months.

18. Every penalty or forfeiture imposed by this Act, or by regulations made under it, may be recovered, or enforced on complaint before any Stipendiary Magistrate or Justice of the Peace in a summary manner.

Recovery of penalties and confiscation of unlawful appliances, etc.

- (1) Penalties incurred under this Act or under regulations made under it shall not be sued for after more than two years from the commission of the offence.
- (2) Any Justice of the Peace may grant a warrant of distress for any penalty and costs imposed under this Act or any regulation made under it, provided that whenever it appears to the satisfaction of the Justice that the offence was committed in ignorance of the law, or that because of the poverty of the defendant the penalties imposed would be oppressive, a discretionary power may be exercised.
- (3) One-half of every penalty levied by virtue of this Act shall belong to His Majesty, and shall be paid to the Minister of Finance and Customs for the use of the Dominion, and the other half shall be paid to the prosecutor; provided that if the prosecutor is a fishery officer or constable, the whole shall belong to His Majesty.
- (4) No proceeding or conviction under this Act or any regulation made under it shall be set aside or quashed for irregularity or defect in form, and no warrant of arrest or commitment shall be held void by reason of any defect therein, if it is therein alleged that the defendant has been convicted, and there is a good and valid conviction to sustain the same.



- (5) All materials, implements or appliances used, and all fish caught, taken or killed in violation of this Act or of any regulation made under it shall be declared by the Magistrate or Justice to be confiscated to His Majesty, and may be seized on view by any officer of the Department, or taken and removed by any person for delivery to any Justice of the Peace; and the proceeds, if any, arising from the disposal thereof shall be paid to the Minister of Finance and Customs for the use of the Dominion.

### *Fish Propagation*

Propagation of fish. 19. The Governor in Council, upon the recommend-

ation of the Minister of Lands and Fisheries, may authorize to be set apart any river or other water to be leased or used for the natural or artificial propagation of fish; and every person who wilfully destroys or injures any place set apart or used for the propagation of fish, or who fishes therein without written permission from a fishery officer, or from the holder thereof under lease or license or uses therein any fishing-light or other implement for fishing, during the period for which such waters are so set apart, shall be liable to a penalty not exceeding two hundred dollars, and in default of payment, to imprisonment for a term not exceeding two months.

- (1) Nothing in this Act shall preclude the granting by the Minister of written permission to obtain fish and fish spawn for purposes of stocking or artificial breeding or for scientific purposes.
- (2) Lessees or licensees of fisheries shall have no claim to renewal of lease or license if in arrears of rent or percentage during four

months after the same is due, and any lessee or licensee convicted of a violation of this Act or any regulations under it, shall be liable to forfeit his lease or license.

20. It shall be lawful for the Governor in Council on the <sup>Propagation of</sup> ~~Shell-fish, etc.~~ recommendation of the Minister of Lands and Fisheries, at any time by public notice to set apart and reserve with definite boundaries and limitations, for the purpose of the propagation of crustaceans or shellfish, any portion of the waters of this Dominion; within which it shall be unlawful for any person to fish for lobsters or other shellfish which may be named, under a penalty for each offence not exceeding one hundred dollars, to be recovered in a summary manner before a Stipendiary Magistrate or Justice of the Peace by any person who shall sue for the same, or in default imprisonment not exceeding one month; provided that no such reservation shall in any case extend more than half a mile on each side of the centre of such reservation.

- (1) The notice provided for in this section may be either printed or written and shall be posted in a sufficiently public and conspicuous place in the neighbourhood of the waters which are reserved thereby, and the law or regulation herein shall take effect in five days from the posting of such notice.

### *Expropriation of Property*

21. Whenever it shall be deemed necessary to ex-<sup>Expropriation</sup> ~~prop~~riate any land or property for the use of the Crown or the public in connection with any public marine work or in connection with the fisheries, the Crown may acquire the same in manner following:

- (1) The Minister of Lands and Fisheries by a person duly authorized for that purpose shall

accurately ascertain and delimit the land or property to be expropriated and for such purpose the Agent of the Minister shall have the right to enter on any property to ascertain and measure and obtain the description of the same.

- (2) The Minister shall then notify the Owner that the said land or property, describing and delimiting the same, is required and taken for public purposes, and seven days\* after the delivery of the said notice to the Owner, or if the owner cannot be found or cannot without delay be ascertained then seven days after the posting of the said notice of expropriation in a conspicuous place upon the land or property, the said land or property shall vest in His Majesty and work thereupon may be commenced by the Crown forthwith.
- (3) The Crown through the Minister of Lands and Fisheries shall make compensation to the Owner for any land or property expropriated under this Section or used or injuriously affected by any expropriation for all damages necessarily resulting from the exercise of the powers given under this Section which may be in excess of any advantage which the Owner may derive directly or indirectly from the contemplated work.
- (4) If the Minister and the Owner cannot agree upon the amount of compensation, such amount shall be ascertained by the Minister of Lands and Fisheries or the Deputy Minister of Fisheries, an Assessor appointed by him, and an Assessor appointed by the Owner of the property.

- (5) If the Owner shall refuse or neglect to nominate an Assessor within thirty days after being required in writing to do so, the Minister may nominate an Assessor on behalf of the Owner, and the Assessors shall then proceed to assessment, and the award of a majority shall be the award of the Board of Assessors.
- (6) Award shall be in writing and shall be made within sixty days of the completion of the Board of Assessors, and immediately upon being made shall be delivered to the Department of Lands and Fisheries, and the amount of compensation found due shall be paid within six months of award; provided that if it be not paid within thirty days it shall thereafter bear interest at the rate of six per centum per annum until payment.
- (7) The fees of the Assessors shall be paid by the Crown.
- (8) A book or register containing the particulars of all expenditures hereunder together with the notices and awards shall be kept in the Department of Lands and Fisheries for purposes of record.
- (9) In any case where the value of the land or property to be expropriated shall exceed five hundred dollars the Assessors may allow costs and expenses to the person whose property is taken, and they may fix their own fees in all cases; provided that both the costs and their fees shall be taxed by the Registrar or Deputy Registrar of the Supreme Court before being paid, the taxing officer having regard to the amount of compensation awarded; or in cases where the amount of compensation due is con-

siderable but the amount of compensating advantage to be set off against the same is also considerable and the actual compensation is, therefore, small, then he may have regard to the extent and difficulty of the work involved.

- (10) Either the Crown or the Owner may within thirty days give notice of appeal to the Supreme Court against the finding of the Assessors upon any question of law or fact, or upon the question of the amount of compensation. Costs in such appeal may be awarded for or against the Crown at the discretion of the Court.

### *Execution of Documents*

Execution of documents on behalf of Crown.

22. Whenever the Crown shall have occasion either to acquire or to convey any land or property through the Department of Lands and Fisheries, the Minister may execute all deeds and documents on behalf of the Crown with his own hand and official style and with the Seal of his Department, and it shall not be necessary for the Great Seal of the Colony to be affixed to any such document; provided always that the same shall be countersigned by the Minister or Deputy Minister of Justice before being so executed.

## *PART III.*

### *Sub-Department of Agriculture*

Functions of Sub-Department of Agriculture.

23. The following subjects shall be dealt with in the Sub-Department of Agriculture:

- (1) Agriculture, including experimental farms, and laws relating to bounties for clearing and cultivating land and for settlement.

- (2) The management and distribution of animals, seeds and the like for the improvement of stock and of crops.
  - (3) Sheep preservation and the administration of laws relating to the keeping of dogs.
  - (4) Diseases of animals and crops.
  - (5) Registration of pedigree animals.
  - (6) Administration of all laws for the standardization of agricultural products and the control of the sale thereof.
  - (7) The encouragement of agriculture and stock raising, research, introduction of new methods, giving of advice to farmers and others.
  - (8) Administration of law relating to the sale of seeds.
24. (1) There shall be a Board of Agriculture consisting of not more than seven persons to be appointed by the Governor in Council, who shall hold office during pleasure and shall serve without remuneration.
- (2) The duty of the Board shall be to advise the Minister on all matters relating to the subjects coming under the Department of Agriculture and to make research and enquiry into the same.
  - (3) The Minister, and in his absence the Deputy Minister of Agriculture, shall be the Chairman of the Board.



Repeals.

25. The Acts and parts of Acts set forth in the Schedule hereto are repealed.

Short Title.

26. This Act may be cited as “The Department of Lands and Fisheries Act, 1932.”

## SCHEDULE

*Enactments Repealed*

Session and Chapter	Title or Short Title	Extent of Repeal
1. Consolidated Statutes (3rd Series) Chapter 11.	Of the Department of Marine and Fisheries.	The whole Chapter
2. 11 George V., Chapter 24.	An Act to Amend Chapter 11 of the Consolidated Statutes of Newfoundland (3rd Series) entitled "Of the Department of Marine and Fisheries."	The whole Act.
3. 20 George V., Chapter 20.	An Act relating to the Department of Agriculture and Mines.	The whole Act.
4. 20 George V., Chapter 23.	An Act to Amend Chapter 11 of the Consolidated Statutes (Third Series) entitled "Of the Department of Marine and Fisheries."	The whole Act.
5. 21 George V., Chapter 16.	An Act to Amend Chapter 11 of the Consolidated Statutes (Third Series) entitled "Of the Department of Marine and Fisheries."	The whole Act.
6. 22 George V., Chapter 22.	An Act relating to the Canning of Rabbits and other Food.	The whole Act.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

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CAP. XVI.

A.D. 1932.

AN ACT TO GRANT CERTAIN LANDS AT ST.  
MARY'S HARBOUR, LABRADOR, TO INTERNA-  
TIONAL GRENFELL ASSOCIATION.

(Passed April 30, 1932)

Land at St. Mary's Harbor, Labrador, granted to Interna-  
tional Grenfell Association.

WHEREAS by the Act 18 Geo. V. Chapter 11, it is pro-  
vided that from and after the passing thereof no grant of  
land on Labrador exceeding fifty acres shall be given save  
by Act of the Legislature of this Dominion.

AND WHEREAS the International Grenfell Association,  
an Association for charitable purposes incorporated under  
the laws of Newfoundland and having its registered

office in the King George V. Seamen's Institute Building at St. John's, has petitioned for a grant of land situate at St. Mary's River, Labrador, and hereinafter more particularly described for the purpose of erecting thereon a boarding school and hospital.

AND WHEREAS the Association intends to expend at St. Mary's River and vicinity the sum of about \$33,000.00 in the construction of the said buildings and in the clearing of land and the establishment of a supply of water,

AND WHEREAS it appears expedient to accede to the prayer of the said petition.

*Be it Therefore Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—*

There is hereby vested in International Grenfell Association and its successors and assigns for the purposes aforesaid ALL THAT piece or parcel of land situated inland from St. Mary's Harbour and on both sides of St. Mary's River, abutted and bounded as follows: that is to say by a line commencing at a point on the south shore of the entrance to St. Mary's Harbour and near the bottom of a small bight, running thence South five chains more or less, thence South forty-five degrees West sixty-three chains more or less, thence North forty-five degrees West sixty-five chains more or less, thence West one hundred and twenty-five chains more or less, thence North fifty-four chains more or less, thence East one hundred and twenty-two chains more or less, thence South eighteen chains more or less, thence East seventy-four chains more or less, thence North eighteen chains more or less, thence East fifty-six chains more or less, thence South ten chains more or less, thence South seventy degrees West eighteen chains more or less, thence South seventeen chains more or less to a point on the North shore of the entrance to St. Mary's Harbour, thence following the said Northern bank or shore of St. Mary's Harbour at high water mark Westerly to the mouth

Land at St.  
Mary's Harbor,  
granted to  
Association.  
Grenfell  
International

of St. Mary's River, and thence by the southern bank or shore of St. Mary's Harbour at high water mark, Easterly to the point of commencement containing two square miles more or less. Bearings from Magnetic Meridian. Reserving nevertheless out of the said area for the use of the public a strip of land along the foreshore one hundred feet wide measured from high water mark, and also a strip of land one hundred feet wide along both banks of all rivers and the shores of all lakes.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS

## CAP. XVII.

AN ACT RELATING TO EXPORT OF MANUFACTURED PRODUCTS OF TIMBER. A.D. 1932.

(Passed April 30, 1932.)

## SECTION

1.—Governor in Council may grant permits for export of manufactured timber products.

## SECTION

2.—Form of Permit.

3.—Copies of permits to be tabled.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

1. It shall be lawful for the Governor in Council to grant to any person a permit for the exportation at any time up to the 30th day of June, 1934, of manufactured products of timber, from timber cut on ungranted Crown land, if the Governor in Council may grant permits for export of manufactured timber products.



lands, and to any other person who seeks a permit in connection with the lands over which he has the right to cut timber, anything in Section 141 of the Crown Lands Act, 1930, to the contrary notwithstanding; provided that trees or timber cut into cordwood, pulpwood, pitprops or other lengths, and whether barked or not, shall be held not to be manufactured products of timber for the purposes of this Act.

Form of Permit      2. Every such permit shall specify the nature and class of manufactured product which may lawfully be exported thereunder and shall contain such conditions and limitations as the Governor in Council may think proper.

Copies of permits to be tabled.      3. Copies of all permits granted hereunder shall be laid on the table of the House of Assembly within fifteen days after the commencement of the next ensuing session.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

# GEORGII V. REGIS.

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CAP. XVIII.

AN ACT TO AMEND THE LAW WITH RESPECT TO A.D. 1932  
THE CARRIAGE OF GOODS BY SEA.

(Passed April 30, 1932).

### SECTION

- 1.—Application of Rules in Schedule.
- 2.—Absolute warranty of seaworthiness not to be implied in contracts to which Rules apply.
- 3.—Statement as to application of Rules to be included in Bills of Lading.
- 4.—Modification of Article VI. of Rules in relation to

### SECTION

- coasting trade and trade to Canada.
- 5.—Modification of Rules 4 and 5 of Act III. in relation to bulk cargoes.
- 6.—Short Title, saving and operation.
- 7.—Newfoundland Courts to have jurisdiction.
- 8.—Repeal. Schedule.

WHEREAS at the International Conference on Maritime Law held at Brussels in October, 1922, the delegates at the Conference, including the delegates representing His

Majesty, agreed unanimously to recommend their respective Governments to adopt as the basis of a convention a draft convention for the unification of certain rules relating to bills of lading:

AND WHEREAS at a meeting held at Brussels in October, 1923, the rules contained in the said draft convention were amended by the Committee appointed by the said Conference:

AND WHEREAS it is expedient that the said rules as so amended and as set out with modifications in the Schedule to this Act (in this Act referred to as "the Rules") should, subject to the provisions of this Act, be given the force of law with a view to establishing the responsibilities, liabilities, rights and immunities attaching to carriers under bills of lading:

*Be it Therefore Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

Application of  
Rules in  
Schedule.

1. Subject to the provisions of this Act, the Rules shall have effect in relation to and in connection with the carriage of goods by sea in ships carrying goods from any port in this Dominion to any other port whether in or outside this Dominion.

Absolute warranty of seaworthiness not to be implied in contracts to which Rules apply.

2. There shall not be implied in any contract for the carriage of goods by sea to which the Rules apply any absolute undertaking by the carrier of the goods to provide a seaworthy ship.

Statement as to application of Rules to be included in Bills of Lading.

3. Every bill of lading, or similar document of title, issued in this Dominion which contains or is evidence of any contract to which the Rules apply shall contain an express statement that it is to have effect subject to the provisions of the said Rules as applied by this Act.

4. Article VI. of the Rule shall, in relation to the carriage of goods by sea in ships carrying goods from any port in this Dominion to any other port in this Dominion or from Channel or Port aux Basques to any port in the Island of Cape Breton have effect as though the said Article referred to goods of any class instead of to particular goods and as though the proviso to the second paragraph of the said Article were omitted.

Modification of  
Article VI. of  
Rules in rela-  
tion to coasting  
trade and trade  
to Canada.

5. Where under the custom of any trade the weight of any bulk cargo inserted in the bill of lading is a weight ascertained or accepted by a third party other than the carrier or the shipper and the fact that the weight is so ascertained or accepted is stated in the bill of lading, then, notwithstanding anything in the Rules, the bill of lading shall not be deemed to be *prima facie* evidence against the carrier of the receipt of goods of the weight so inserted in the bill of lading, and the accuracy thereof at the time of shipment shall not be deemed to have been guaranteed by the shipper.

Modification of  
Rules 4 and 5  
of Act III. in  
relation to bulk  
cargoes.

6. (1) This Act may be cited as the Carriage of Goods by Sea Act, 1932.

Short Title,  
saving and  
operation.

(2) Nothing in this Act shall affect the operation of sections four hundred and forty-six to four hundred and fifty, both inclusive, five hundred and two, and five hundred and three of the Merchant Shipping Act, 1894, as amended by any subsequent enactment or the operation of any other enactment for the time being in force limiting the liability of the owners of seagoing vessels.

(3) The Rules shall not by virtue of this Act apply to any contract for the carriage of goods by sea made before the 30th day of June, 1932, nor to any bill of lading or similar document of title issued, whether before or after such day as afore-said, in pursuance of any such contract as afore-said.

Newfoundland  
Courts to have  
jurisdiction.

7. Any Court in Newfoundland having jurisdiction to the amount claimed shall have power to try any action for loss of or damage to goods carried by sea to or from this Dominion, and such action may be commenced and continued to judgment and execution, anything in any Bill of Lading, receipt or other similar document to the contrary notwithstanding.

Repeal.

8. Chapter 187 of the Consolidated Statutes, (Third Series), entitled "Of the Liability of Carriers by Water," is hereby repealed in respect to any contract for the carriage of goods by sea made after the 30th day of June, 1932, and to any Bill of Lading or similar document of title issued in pursuance of any such contract.

## SCHEDULE

Schedulea

### *Rules Relating to Bills of Lading*

#### ARTICLE I.

##### *Definitions.*

In these Rules the following expressions have the meanings hereby assigned to them respectively, that is to say—

- (a) "Carrier" includes the owner or the charterer who enters into a contract of carriage with a shipper.
- (b) "Contract of carriage" applies only to contracts of carriage covered by a bill of lading or any similar document of title, in so far as such document relates to the carriage of goods by sea, including any bill of lading or any similar document as aforesaid issued under or pursuant to a charterparty from the moment at which such bill of lading or similar document of title regulates the relations between a carrier and a holder of the same:

- (c) "Goods" includes goods, wares, merchandises, and articles of every kind whatsoever, except live animals and cargo which by the contract of carriage is stated as being carried on deck and is so carried:
- (d) "Ship" means any vessel used for the carriage of goods by sea:
- (e) "Carriage of goods" covers the period **from** the time when the goods are loaded on to the time when they are discharged from the ship.

## ARTICLE II.

### *Risks*

Subject to the provisions of Article VI., under every contract of carriage of goods by sea the carrier, in relation to the loading, handling, stowage, carriage, custody, care, and discharge of such goods, shall be subject to the responsibilities and liabilities, and entitled to the rights and immunities hereinafter set forth.

## ARTICLE III.

### *Responsibilities and Liabilities.*

1. The carrier shall be bound, before and at the beginning of the voyage, to exercise due diligence to—

- (a) Make the ship seaworthy:
- (b) Properly man, equip, and supply the ship:
- (c) Make the holds, refrigerating, and cool chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carriage and preservation.



2. Subject to the provisions of Article IV., the carrier shall properly and carefully load, handle, stow, carry, keep, care for and discharge the goods carried.

3. After receiving the goods into his charge, the carrier, or the master or agent of the carrier, shall, on demand of the shipper, issue to the shipper a bill of lading showing among other things—

- (a) The leading marks necessary for identification of the goods as the same are furnished in writing by the shipper before the loading of such goods starts, provided such marks are stamped or otherwise shown clearly upon the goods if uncovered, or on the cases or coverings in which such goods are contained, in such a manner as should ordinarily remain legible until the end of the voyage;
- (b) Either the number of packages or pieces, or the quantity, or weight, as the case may be, as furnished in writing by the shipper;
- (c) The apparent order and condition of the goods:

Provided that no carrier, master or agent of the carrier, shall be bound to state or show in the bill of lading any marks, number, quantity, or weight which he has reasonable grounds for suspecting not accurately to represent the goods actually received, or which he has had no reasonable means of checking.

4. Such a bill of lading shall be *prima facie* evidence of the receipt by the carrier of the goods as therein described in accordance with paragraph 3 (a), (b), and (c).

5. The shipper shall be deemed to have guaranteed to the carrier the accuracy at the time of shipment of the marks, number, quantity, and weight, as furnished by him, and the shipper shall indemnify the carrier against all loss,

damages, and expenses arising or resulting from inaccuracies in such particulars. The right of the carrier to such indemnity shall in no way limit his responsibility and liability under the contract of carriage to any person other than the shipper.

6. Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, or, if the loss or damage be not apparent, within three days, such removal shall be *prima facie* evidence of the delivery by the carrier of the goods as described in the bill of lading.

The notice in writing need not be given if the state of the goods has at the time of their receipt been the subject of joint survey or inspection.

In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after delivery of the goods or the date when the goods should have been delivered.

In the case of any actual or apprehended loss or damage the carrier and the receiver shall give all reasonable facilities to each other for inspecting and tallying the goods.

7. After the goods are loaded the bill of lading to be issued by the carrier, master or agent of the carrier, to the shipper shall, if the shipper so demands, be a "shipped" bill of lading, provided that if the shipper have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the "shipped" bill of lading, but at the option of the carrier such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships upon which the goods have been shipped and the date or dates of shipment, and when so noted the same shall for the purpose of this Article be deemed to constitute a "shipped" bill of lading.

8. Any clause, covenant or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to or in connection with goods arising from negligence, fault or failure in the duties and obligations provided in this Article or lessening such liability otherwise than as provided in these Rules, shall be null and void and of no effect.

A benefit of insurance or similar clause shall be deemed to be a clause relieving the carrier from liability.

#### ARTICLE IV.

##### *Rights and Immunities*

1. Neither the carrier nor the ship shall be liable for loss or damage arising or resulting from unseaworthiness unless caused by want of due diligence on the part of the carrier to make the ship seaworthy, and to secure that the ship is properly manned, equipped and supplied, and to make the holds, refrigerating and cool chambers and all other parts of the ship in which goods are carried fit and safe for their reception, carriage and preservation in accordance with the provisions of paragraph 1 of Article III.

Whenever loss or damage has resulted from unseaworthiness, the burden of proving the exercise of due diligence shall be on the carrier or other person claiming exemption under this section.

2. Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from—

- (a) Act, neglect, or default of the master, mariner, pilot or the servants of the carrier in the navigation or in the management of the ship;
- (b) Fire, unless caused by the actual fault or privity of the carrier;

- (c) Perils, dangers and accidents of the sea or other navigable waters;
- (d) Act of God;
- (e) Act of war;
- (f) Act of public enemies;
- (g) Arrest or restraint of princes, rulers or people, or seizure under legal process;
- (h) Quarantine restrictions;
- (i) Act or omission of the shipper or owner of the goods, his agent or representative;
- (j) Strikes or lock-outs or stoppage or restraint of labour from whatever cause, whether partial or general;
- (k) Riots and civil commotions;
- (l) Saving or attempting to save life or property at sea;
- (m) Wastage in bulk or weight or any other loss or damage arising from inherent defect, quality, or vice of the goods;
- (n) Insufficiency of packing;
- (o) Insufficiency or inadequacy of marks;
- (p) Latent defects not discoverable by due diligence;
- (q) Any other cause arising without the actual fault or privity of the carrier, or without the fault or neglect of the agents or servants of the carrier;

but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage.

3. The shipper shall not be responsible for loss or damage sustained by the carrier or the ship arising or resulting from any cause without the act, fault or neglect of the shipper, his agents or his servants.

4. Any deviation in saving or attempting to save life or property at sea, or any reasonable deviation shall not be deemed to be an infringement or breach of these Rules or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom.

5. Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with goods in an amount exceeding five hundred dollars per package or unit, or the equivalent of that sum in other currency, unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading.

This declaration if embodied in the bill of lading shall be *prima facie* evidence, but shall not be binding or conclusive on the carrier.

By agreement between the carrier, master or agent of the carrier and the shipper another maximum amount than that mentioned in this paragraph may be fixed, provided that such maximum shall not be less than the figure above named.

Neither the carrier nor the ship shall be responsible in any event for loss or damage to or in connection with goods if the nature or value thereof has been knowingly misstated by the shipper in the bill of lading.

6. Goods of an inflammable, explosive or dangerous nature to the shipment whereof the carrier, master or agent of the carrier, has not consented, with knowledge of their nature and character, may at any time before discharge be landed at any place or destroyed or rendered innocuous by the carrier without compensation, and the shipper of such goods shall be liable for all damages and expenses directly or indirectly arising out of or resulting from such shipment.

If any such goods shipped with such knowledge and consent shall become a danger to the ship or cargo, they may in like manner be landed at any place or destroyed or rendered innocuous by the carrier without liability on the part of the carrier except to general average, if any.

#### ARTICLE V.

##### *Surrender of Rights and Immunities, and Increase of Responsibilities and Liabilities.*

A carrier shall be at liberty to surrender in whole or in part all or any of his rights and immunities or to increase any of his responsibilities and liabilities under the Rules contained in any of these Articles, provided such surrender or increase shall be embodied in the bill of lading issued to the shipper.

The provisions of these Rules shall not be applicable to charterparties, but if bills of lading are issued in the case of a ship under a charterparty they shall comply with the terms of these Rules. Nothing in these Rules shall be held to prevent the insertion in a bill of lading of any lawful provision regarding general average.

#### ARTICLE VI.

##### *Special Conditions*

Notwithstanding the provisions of the preceding Articles,



a carrier, master or agent of the carrier, and a shipper shall in regard to any particular goods be at liberty to enter into any agreement in any terms as to the responsibility and liability of the carrier for such goods, and as to the rights and immunities of the carrier in respect of such goods, or his obligation as to seaworthiness, so far as this stipulation is not contrary to public policy, or the care or diligence of his servants or agents in regard to the loading, handling, stowage, carriage, custody, care, and discharge of the goods carried by sea, provided that in this case no bill of lading has been or shall be issued and that the terms agreed shall be embodied in a receipt which shall be a non-negotiable document and shall be marked as such.

Any agreement so entered into shall have full legal effect:

Provided that this Article shall not apply to ordinary commercial shipments made in the ordinary course of trade, but only to other shipments where the character or condition of the property to be carried or the circumstances, terms and conditions under which the carriage is to be performed, are such as reasonably to justify a special agreement.

## ARTICLE VII.

### *Limitations on the Application of the Rules.*

Nothing herein contained shall prevent a carrier or a shipper from entering into any agreement, stipulation, condition, reservation or exemption as to the responsibility and liability of the carrier or the ship for the loss or damage to or in connection with the custody and care and handling of goods prior to the loading on and subsequent to the discharge from the ship on which the goods are carried by sea.

## ARTICLE VIII.

*Limitation of Liability*

The provisions of these Rules shall not affect the rights and obligations of the carrier under any statute for the time being in force relating to the limitation of the liability of owners of sea-going vessels.

## ARTICLE IX.

The monetary units mentioned in these Rules are to be taken to be gold value.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

CAP. XIX.

A.D. 1932

AN ACT TO AMEND THE SALT CODFISH ACT, 1931.

(Passed April 30, 1932)

## SECTION

- 1.—Substitution Secs. 2 and 3.
- 2.—Amendment of Sec. 6 (b).
- 3.—Amendment of Sec. 7.

## SECTION

- 4.—Repeal of Sec. 13.
- 5.—Amendment of Sec. 15.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

Substitution  
Secs. 2 and 3.

1. In Sections 2 and 3 of the Salt Codfish Act, 1931, the figures "14" are hereby struck out and the figures "15" substituted in each case.

2. Section 6 (b) of the said Act is hereby amended <sup>Amendment of</sup> by striking out the following words “In the event of <sup>Sec. 6 (b).</sup> failure by the Association to recommend within the time herein specified, the Governor in Council shall have power to appoint without recommendation.”

3. Section 7 of the said Act is hereby amended <sup>Amendment of</sup> by striking out the full stop at the end of sub-section (b) <sup>Sec. 7.</sup> and adding to the said sub-section the following words “and the regulating of shipments of salt codfish.”

4. Section 13 of the said Act is hereby repealed. <sup>Repeal of</sup>  
<sup>Sec. 13.</sup>

5. Section 15 of the said Act is hereby amended <sup>Amendment of</sup> by striking out the word “sixty” and substituting therefor <sup>Sec. 15.</sup> the word “thirty.”

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS

CAP. XX.

A.D. 1932

## AN ACT IN RELATION TO THE PAYMENT TO FISHERMEN OF A BONUS ON GASOLENE.

(Passed April 30, 1932).

## SECTION

1.—Bonus on gasolene used in fishing boats.

## SECTION

2.—Proof of user.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

Bonus on  
gasolene used  
in fishing boats.

1. (a) From and after the date of the commencement of the operation of an Agreement to be made with Imperial Oil Limited of Canada, in pursuance of an Act of the present session of the Legislature under which Agreement the said

Imperial Oil Limited shall have the sole right of importing petroleum products into this Dominion there shall be paid by the Minister of Finance and Customs a bonus of five cents per Imperial gallon in respect of all gasolene which shall by the said Company be proved to the satisfaction of the said Minister to have been supplied to *bona fide* fishermen for use in their motor boats in the prosecution of the fisheries of this Dominion and not for use on land.

- (b) The said bonus shall be paid to the said Imperial Oil Limited for transfer to the fishermen under the same conditions as those laid down under Item 361 (a) of Schedule B of the Revenue Act.

2. For the purposes of such proof the said Minister shall require from the said Company such evidence of supply as he may deem proper, including a sworn certificate that the said gasolene has been supplied to *bona fide* fishermen and consumed in their motor boats in the prosecution of the fisheries and not otherwise.

Proof of user.



## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS

## CAP. XXI

A.D. 1932.

AN ACT TO REORGANIZE THE DEPARTMENT OF  
PUBLIC WORKS

(Passed April 30, 1932)

## SECTION

- 1.—Department and Minister of Public Works.
- 2.—Deputy Minister of Public Works.
- 3.—Duties of Deputy Minister.
- 4.—Chief Engineer.
- 5.—Other officers of Department.
- 6.—Functions of Department.
- 7.—Governor in Council may assign new or other duties.
- 8.—General Powers as to Public Institutions.

## SECTION

- 9.—Control of Works of Chief Engineer.
- 10.—Accounts may be required to be attested on oath.
- 11.—Minister may examine persons on oath.
- 12.—Security to be taken upon contracts; leave to be obtained before accepting other than lowest tender.
- 13.—Security to be taken on contracts for goods; Leave to be obtained before accepting other than lowest tender.

## SECTION

- 14.—Contracts to be let and purchases made by tender after advertisement.
- 15.—Work not to be commenced before contracts executed and security given.
- 16.—Signature of contracts, etc.
- 17.—Contracts requiring payment for more than one year.
- 18.—Copies of certain sections to be displayed to public.
- 19.—Removal of roads or bridges from control of Minister.
- 20.—Transfer thereof to municipalities, etc.
- 21.—Arrangements with local authorities for transfer of public works.
- 22.—Transfer of public works to local authorities.
- 23.—Grant by Order-in-Council.
- 24.—Effect of Order-in-Council
- 25.—Revocation or amendment of Order in Council;: Proof of consent of grant
- 26.—Provisions and conditions of Orders in Council
- 27.—Enforcement of Orders in Council.
- 28.—Conditions of transfer.
- 29.—Protection of Public Works
- 30.—Manner in which land may be expropriated for use of Crown or public.
  - (1) Minister to delimit land.
  - (2) Notification to owner
  - (3) Compensation.
  - (4) How to be ascertained.
  - (5) Respecting Assessors.
  - (6) Award.
  - (7) Fees.
  - (8) Register of expropriation.
  - (9) Costs and Expenses.
  - (10) Appeal.
- 31.—Minister may execute deeds, etc.
- 32.—Highroads Board.
  - (2) Duties and powers of Board.

## SECTION

- (3) Regulations regarding use of highroads.
- 33.—Vesting of property formerly of Highroads Commission.
- 34.—Establishment and closing of highroads.
- 35.—Plans of lands, purchased adjoining highways.
- 36.—Removal of erections, etc., in interests of safety
- 37.—Original road may be taken for highway.
- 38.—Boundary line of highway.
- 39.—Control of structures adjacent to highroads
- 40.—Injunction.
- 41.—Highroad connecting with highway or railway.
  - (2) Altering road intersecting or affording access to highroad.
- 42.—Construction on highway leading to or near highroad.
- 43.—Construction of highway within municipality.
- 44.—Sidewalks.
  - (2) Works in St. John's.
- 45.—Agreement between municipality and minister.
- 46.—Municipality not to close divert road.
47. (1)—Powers of Minister along highroad in municipality.
  - (2) Rights, powers, etc., of Minister in respect of highroad.
- 48.—Obstruction of highway; Encroachments.
- 49.—Wires and poles.
- 50.—Works or structures on highways.
  - (b) Decision of Minister as to cost to be final.
- 51.—Closing of highway.
  - (b) Penalty for using closed highway.
  - (c) Alternative route.
- 52.—Planting trees.
  - (2) Penalty for damage to trees.

## SECTION

- 53.—Acquiring land for re-  
afforestation.  
54.—Remuneration of Commis-  
sioners.  
55.—Penalty.  
56.—License Fees separate  
fund.  
57.—Actions and suits, how in-  
stituted.  
58.—Actions against Commis-  
sioners, etc.  
59.—Securing of plans, etc.,

## SECTION

- relating to public works.  
60.—Certified copies to be  
evidence.  
61.—Publication of Proclama-  
tions, Orders, etc.  
62.—Interpretation of terms.  
63.—Regulations of Highroads  
Commission to remain in  
force.  
64.—Repeal.  
65.—Short Title.  
Schedules.

*Be it Enacted by the Governor, the Legislative Council and  
House of Assembly, in Legislative Session convened, as  
follows:*

*Part I. Constitution and Functions of Department*

Department  
and Minister  
of Public  
Works.

1. There shall be a Department of the Civil Service which shall be called "the Department of Public Works," over which the Minister of Public Works, appointed by His Excellency the Governor in Council by Commission under the Great Seal of the Dominion, shall preside; and the Minister shall have the management and direction of the Department and shall hold office during pleasure.

Deputy Minis-  
ter of Public  
Works.

2. (1) The Governor in Council shall appoint an Officer who shall be called the "Deputy Minister of Public Works" and who shall be the Deputy Head of the Department, and shall hold office during pleasure.

(2) Whenever the Minister of Public Works shall be absent from Newfoundland or incapacitated through illness or the office of Minister shall be vacant the Deputy Minister of Public Works shall by virtue of his office be entrusted with the powers and charged with the duties which belong to the Minister of Public Works Under this Act.

3. The Deputy Head of the Department shall, unless <sup>Duties of</sup> otherwise directed in any case by the Minister, keep <sup>Deputy</sup> separate accounts of the moneys appropriated for and expended <sup>Minister.</sup> on each public work; he shall submit such accounts to be audited in such manner as is or may be appointed by law, or by the Governor in Council; he shall have charge of all plans, contracts, estimates, documents, titles, models, and other like things relating to any such work; he shall keep proper accounts with each contractor or other person employed by or under the Department; he shall see that all contracts are properly drawn out and executed; he shall prepare all certificates upon which any certificate for the payment of money is to issue; he shall keep minutes of all the proceedings of the Department; he shall prepare reports and conduct, under the direction of the Minister, the correspondence of the Department; and generally he shall do and perform all such acts and things pertaining to the business of the Department as he is from time to time directed to do and perform by the Minister.

4. The Governor in Council shall appoint an Officer <sup>Chief Engineer.</sup> who shall be Chief Engineer to the Department. The Chief Engineer shall prepare maps, plans, designs and estimates for all public works which are about to be constructed, altered or repaired by or under the authority of the Minister; he shall report for the information of the Minister on any question relating to any public work which is submitted to him; he shall examine and revise the plans, estimates and recommendations of other engineers, architects, superintendents and the like officers in respect to any such public work; generally he shall advise the Minister on all engineering, architectural or construction questions affecting any public work.

5. The Governor in Council shall appoint such other <sup>Other Officers</sup> Officers as are necessary for the proper conduct of the <sup>of</sup> Department. business of the Department, all of whom shall hold office during pleasure.

6. The following matters shall be dealt with in the <sup>Functions of</sup> Department of Public Works:—  
Department.

- (1) The construction, repair, maintenance, heating and lighting of public buildings, and the supply of furniture and fittings therefor.
- (2) The construction, repair and maintenance of roads and bridges.
- (3) Ferries.
- (4) Machinery, equipment, tools and implements used in connection with the construction, repair and maintenance of public works.
- (5) All other property which now belongs to the Dominion and which is not specifically assigned to any other Department and all works and properties acquired, constructed, extended, enlarged, repaired or improved at the expense of the Dominion or for the acquisition, construction, repairing, extending, enlarging or improving of which any public money is voted or appropriated by the Legislature, except works for which money has been appropriated as a subsidy only, and every work required for any such purpose with the exceptions following, that is to say:
  - (a) Such public works as have been or are hereafter leased, sold, or otherwise lawfully transferred to municipalities, incorporated companies or others, unless the same are subject to be and are resumed by His Majesty in virtue of the provisions of any Act, or of any lease, sale, or transfer thereof, or relating thereto;
  - (b) Such public works as have been or are hereafter by proclamation abandoned or left to the control of municipal or local authorities.

Governor in Council may assign new or other duties.

7. The Governor in Council may assign any new or other duty or power to the Minister of Public Works, and may also assign any of the duties or powers hereinbefore enumerated to the Minister of any other department.

8. Except where otherwise by statute provided the Minister shall have the care, control, management and direction of the Public Institutions of the Dominion and of the officers, keepers, servants and inmates thereof.

*Part II. Works, Purchases and Expenditure*

9. All works of construction or repair shall be carried out so far as possible under the control and supervision of the Chief Engineer and not less than one-fifth of the money to be expended upon any public work shall be withheld and not paid over until the Chief Engineer shall have certified that he is satisfied, either by personal inspection or by such other means as he may think fit, that the said work has been properly carried out and completed. Provided that in the case of work done by contract at a cost exceeding twenty thousand dollars, the amount so to be withheld need not exceed one-tenth.

10. The Minister, or Deputy Minister, may require any account sent in by any contractor, or by any person in the employ of the Department, to be attested on oath, as well as that to be taken by any witness, may be administered by the Minister or by the Deputy Minister.

11. The Minister may send for and examine on oath all such persons as he deems necessary respecting any matter upon which his action is required, and may cause such persons to bring with them such papers, plans, books, documents and things as it is necessary to examine with reference to such matter, and may pay such persons a reasonable compensation for their time and disbursements. Such persons shall comply with the summons of the Minister after due notice; and every person so summoned who neglects or refuses to attend and be examined shall incur a penalty of twenty dollars.

12. (1) The Minister shall in all cases in which any public work is being carried out by contract take all reasonable care that good and sufficient security is given to and in the name of His Majesty for the due performance of the work.



within the amount and time specified for its completion.

- (2) In all cases in which it seems to the Minister not to be expedient to let such work to the lowest tenderer, he shall report the same in writing stating his reasons therefor and obtain the authority of the Governor in Council previously to passing by such lowest tender.

Security to be taken on contracts for goods: Leave to be obtained before accepting other than lowest tender.

13. (1) The Minister shall in all cases in which any goods are being purchased for the public service by tender take all reasonable care that good and sufficient security is given to and in the name of His Majesty for the due delivery of the goods at the price and of the quality and within the time specified in the advertisement or notice for tenders.

- (2) In all cases in which it seems to the Minister not to be expedient to accept the tender of the lowest tenderer he shall report the same in writing stating the cause and obtain the authority of the Governor in Council previously to passing by such lowest tender.

Contracts to be let and purchases made by tender after advertisement.

14. No contract shall be let for the performance of work and no purchase of goods for the public service shall be made save after proper advertisement for tenders for the same unless the prior authority of the Governor in Council shall have been obtained for the letting of such contract or the purchasing of such goods without advertisement for tenders; which authority shall be given only in case of emergency; provided that this section shall not apply to works or the purchase of goods the cost or price of which does not exceed Five hundred dollars.

Work not to be commenced before contracts executed and security given.

15. No sum of money shall be paid to the Contractor on any contract, nor shall any work be commenced, until the contract has been signed by all the parties therein named nor until the requisite security has been given.

16. No contract, lease or other document in respect of <sup>Signature of</sup> any matter under the control or direction of the Minister <sup>contracts, etc.</sup> shall be binding on His Majesty nor be deemed to be the act of the Minister, unless the same is signed by him or by the Deputy Minister and, in the case of any contract for work or goods exceeding in cost or price Five hundred dollars, counter-signed by the Minister or Deputy Minister of Justice.

17. No contract, lease or other document requiring the Dominion to pay for any matter building or service, for the <sup>Contracts re-</sup> space of more than one year shall be made by the Minister <sup>quiring pay-</sup> without the prior provision of money thereof by the Leg- <sup>ment for more</sup> is- <sup>than one year.</sup> lature and any contract, lease or other document made in contravention of this Section shall not be binding on His Majesty.

18. A printed copy of the three Sections next preceding <sup>Copies of</sup> shall be posted or affixed in a conspicuous position in the <sup>certain sections</sup> office of the Department of Public Works where the same <sup>to be displayed</sup> may be seen by any person having business with the De- <sup>to public.</sup> partment.

### *Part III. Transfer of Works to Municipal Authorities, etc.*

19. The Governor in Council may, by proclamation, <sup>Removal of</sup> declare any public road or bridge, under the management <sup>roads or</sup> or control of the Minister, to be no longer under his man- <sup>bridges from</sup> agement and control; and upon, from and after a day to be <sup>control of</sup> named in the proclamation such road or bridge shall cease <sup>Minister.</sup> to be under the management or control of the Minister.

20. Every public road or bridge, declared, as aforesaid, <sup>Transfer</sup> to be no longer under the management and control of the <sup>thereof to</sup> Minister, shall be under the control of, and shall be main- <sup>Municipalities,</sup> tained and kept in repair, by the municipal or other author- ities of the locality and the road officers thereof, in like manner as other public roads and bridges under their control.

Arrangements  
with local  
authorities for  
transfer of  
public works.

21. The Minister may enter into arrangements with any municipal or other local corporation or authority, for the transfer to them of any of the public roads, harbours, rivers, or river improvements, bridges, or public buildings, whether within or without the limits of the local jurisdiction of such municipal or other authorities, which it is found convenient to place under their management.

Transfer of  
public works  
to local  
authorities.

22. On the completion of such arrangement the Governor in Council may grant and by so granting transfer and convey forever or for any term of years, all or any of such roads, harbours, rivers and river improvements, bridges or public buildings, to such municipal or other local authority or company, (hereinafter called the grantee) upon such terms and conditions as are agreed upon; and the said municipal or local authorities may enter into such arrangements and may take and hold such works so transferred.

Grant by Order  
in Council

23. Any such grant may be made by Order in Council, and by such order any or all of the powers and rights vested in the Crown, or in any officer or department, in respect of such public work, may be granted to and vested in the grantee to whom the public work is granted.

Effect of  
Order in  
Council.

24. Such Order in Council may contain any condition, clauses and limitations agreed upon, which, as well as all the provisions of such Order in Council, shall, in so far as they are not inconsistent with this Act and do not purport to grant any right or power not immediately before the making of such Order in Council vested in the Crown or in the Governor in Council, or in some officer or department of the Government, have force and be obeyed as if they were contained in this Act, and had formed part thereof.

Revocation or  
amendment of  
Order in Coun-  
cil; proof of  
consent of  
grant

25. Any such Order in Council may, with the consent of the grantee, be revoked or amended by any subsequent Order in Council, and the consent of the grantee thereto shall be presumed unless disputed by such grantee, and if disputed may be proved by any copy of such Order

in Council, on which the consent of the grantee thereto is written and attested by such signature or seal, or both, as would be sufficient to make any deed or agreement the deed or agreement of such grantee.

26. The provisions and conditions of any Order in Council made under this Act may extend to the mode of adjusting and determining any difference arising between the Crown and any municipal or local authority or grantee, as to their respective rights under the same, or to the reservation of the right of re-entry by the Crown into possession of any public work on the failure of such corporation, authority or grantee to perform the conditions agreed upon, and to the vesting in the sheriff of power to give possession of such public work to any public officer of the Crown on any warrant under the hand and seal of the Governor, addressed to such sheriff, reciting such failure, and commanding him to give possession to such officer for the Crown as aforesaid.

27. No enactment made for the purpose of enforcing the provisions of any such Order in Council shall be deemed an infringement of the rights of the grantee to which it relates, and nothing in the next preceding section shall prevent the enforcement of the rights of the Crown in any lawful manner not inconsistent with the provisions of any such Order in Council.

28. One of the conditions of every lease or contract for the transfer of any bridge, road, or public work, shall be that such bridge, road or work shall be kept in thorough repair, and that, for all the purposes of such lease or contract the sufficiency of such repair shall be ascertained and decided upon by such engineer as the Minister appoints to examine the same.

#### *Part IV. Protection of Public Works*

29. The Governor in Council may from time to time make such Regulations as he deems necessary for the man-

agement, maintenance, proper use and protection of all or any of the public works and may by such regulations (a) impose such penalties not exceeding in any one case one hundred dollars for any violation of any such regulation as he deems necessary for the ensuring and observance of the same; (b) provide for the detention and seizure at the risk of the owner of any steamer, vessel or other craft, vehicle or carriage, in respect of which any such regulations have been violated or any injury done such public works and not paid for, or for or on account of which any penalty has been incurred and remains unpaid, and for the sale thereof if such dues, damages or penalty are not paid by the time fixed for the purpose and for the payment of such damages or penalty out of the proceeds of such sale; provided that no such regulation shall impair the right of the Crown to recover such damages or penalty in the ordinary course of law; the surplus proceeds of such sale, if any, shall be returned to the owner or his agent.

*Part V. Expropriation of Property: Execution of Conveyances*

Manner in which land may be expropriated for use of Crown or public.

30. Whenever it shall be deemed necessary to expropriate any land for the opening, making or widening of any road or street, or for the construction or carrying out of any other public work of any description or otherwise for the use of the Crown or the public in this Dominion, the Crown may acquire same in manner following:—

Minister to delimit land

(1) The Minister of Public Works by a person duly authorized for that purpose shall accurately ascertain and delimit the land or property to be expropriated and for such purpose the agent of the Minister shall have the right to enter on any property to ascertain and measure and obtain the description of the same.

Notification to Owner,

(2) The Minister shall then notify the owner that the said land or property, describing and delimiting the same, is required and taken for public

purposes, and seven days after the delivery of the said notice to the owner, or if the owner cannot be found or cannot without delay be ascertained then seven days after the posting of the said notice of expropriation in a conspicuous place upon the land or property, the said land or property shall vest in His Majesty, and work thereupon may be commenced by the Crown forthwith.

- (3) The Crown through the Minister of Public Works shall make compensation to the owner for any land or property expropriated under this Section or used or injuriously affected by any expropriation for all damages necessarily resulting from the exercise of the powers given under this section which may be in excess of any advantage which the owner may derive directly or indirectly from the contemplated work.
- (4) If the Minister and owner cannot agree upon the amount of compensation, such amount shall be ascertained by the Minister or his Deputy, an assessor appointed by him, and an assessor appointed by the owner of the property.
- (5) If the owner shall refuse or neglect to nominate an assessor within thirty days after being required in writing to do so, the Minister may nominate an assessor on behalf of the owner, and the assessor shall then proceed to assessment, and the award of a majority shall be the award of the Board of Assessors.
- (6) Award shall be in writing and shall be made within sixty days of the completion of the Board of Assessors, and immediately upon being made shall be delivered to the Department of Public Works, and the amount of compensation found due shall be paid within six months of award;



provided that if it be not paid within thirty days it shall thereafter bear interest at the rate of six per centum per annum until payment.

Fees.

- (7) The fees of the assessors shall be paid by the Crown.

Register of  
expropriation.

- (8) A book or register containing the particulars of all expropriations hereunder together with the notices and awards shall be kept in the Department of Public Works for purposes of record.

Costs and  
expenses.

- (9) In any case where the value of the land or property to be expropriated shall exceed five hundred dollars the assessors may allow costs and expenses to the person whose property is taken, and they may fix their own fees in all cases; provided that both the costs and their fees shall be taxed by the Registrar or Deputy Registrar of the Supreme Court before being paid, the taxing officer having regard to the amount of compensation awarded; or in a case where the amount of compensation due is considerable but the amount of compensating advantage to be set off against the same is also considerable and the actual compensation awarded is, therefore, small, then he may have regard to the extent and difficulty of the work involved.

Appeal

- (10) Either the Crown or the owner may within thirty days give notice of appeal to the Supreme Court against the finding of the assessors upon any question of law or fact, or against the amount of the award. Costs in such appeal may be awarded for or against the Crown at the discretion of the Court.

31. Whenever the Crown shall have occasion either to <sup>Minister may</sup> acquire or convey any land or property through the De-<sup>execute Deeds,</sup> <sup>etc.</sup>partment of Public Works, the Minister may execute all deeds and documents on behalf of the Crown with his own hand and official style and with the Seal of his Department, and it shall not be necessary for the Great Seal of the Colony to be affixed to any such document, provided always that the same shall be countersigned by the Minister or Deputy Minister of Justice before being so executed.

*Part VI. Highroads and Highroads Board; General Provisions Regarding Roads*

32. (1) There shall be a Highroads Board which shall <sup>Highroads</sup> consist of the Minister for the time being, the <sup>Board.</sup> Deputy Minister and the Chief Engineer, ex officio, and two other persons to be appointed by the Governor in Council, to act for terms of two years. The appointed members of the Board may be removed at the pleasure of the Governor in Council. Members of the Board whose terms have expired by efflux of time may be reappointed.
- (2) The duties and functions of the said Board shall <sup>Duties and</sup> be to act as an Advisory Board to the Minister <sup>powers of</sup> in all matters relating to Highroads. <sup>Board.</sup>
- (3) The Minister, with the advice of the Board, may <sup>Regulations</sup> make regulations respecting the use and control <sup>regarding use</sup> of a highroad, including penalties for violation <sup>of highroads.</sup> of such regulations, which penalties may be recovered in summary proceedings before a Stipendiary Magistrate. Such regulations shall come into effect when approved by the Governor in Council and published in *The Newfoundland Gazette*.

33. All property at the time of the passing of this Act <sup>Vesting of</sup> vested in the Highroads Commission constituted under the <sup>property form</sup> Act 15 George V. Chapter 5 shall by virtue of this Act <sup>erly of High-</sup> be <sup>roads Commis-</sup> deemed to vest directly in the Crown. <sup>sion.</sup>

Establishment  
and closing of  
highroads.

34. (1) The Governor in Council may designate any existing road as a highroad or may direct new highroads to be constructed or the alignments, locations, gradients and widths altered from time to time as he may see fit.
- (2) The Governor in Council may direct that any highroad or portion thereof for which an alternative road has been substituted or which is no longer required for the purpose of a highroad may be closed to traffic, afforested, sold, demised or otherwise disposed of.
- (3) Any road heretofore lawfully designated as a highroad shall continue to be a highroad until otherwise ordered by the Governor in Council.

Plans of lands,  
purchased ad-  
joining high-  
ways.

35. (1) When land is or has been purchased or acquired by the Crown for or along or adjacent to or in the vicinity of any highway, the land so acquired may be shown on the plan of a road marked "Road Land Plan" signed by the Minister and Chief Engineer and deposited in the Department of Lands and Fisheries and such plan shall be *prima facie* evidence of the ownership of such lands by His Majesty.
- (2) A road land plan deposited in the Department of Lands and Fisheries under the next preceding sub-section may be amended upon the authority of the Minister and the Chief Engineer from time to time or another plan may be substituted therefor upon like authority or for the purpose of showing additional lands purchased or acquired or for the purpose of indicating thereon lands sold or disposed of.

Removal of  
erections, etc.,  
in interests of  
safety.

36. The Minister may direct or undertake the removal of any building, fence or other erection or the clearing of any land adjacent to a highway where, in his opinion, the safety and convenience of the travelling public so re-

quires, but subject to the payment of such compensation as may be agreed upon or may be determined in the manner provided by Section 30.

37. A former road which is not being used as a high-Original road way, or which has been occupied by an abutting owner or <sup>may be taken</sup> other person, may be entered upon, taken, used and occu-<sup>for highway.</sup> pied for the purpose of a Highway, provided that where any person shall have acquired the title to any land taken under this section, he shall be entitled to the like compensation as in the case of land expropriated for the purpose of a Highway.

38. Where in the opinion of the Minister it is necessary <sup>Boundary line</sup> in order to determine the true course and boundaries <sup>of highway.</sup> of any Highway, the Minister may appoint a land surveyor to make the necessary survey, and the boundary line as so ascertained shall be the true boundary line of the Highway.

39. (1) The Minister may fix a distance from the cen-<sup>Control of</sup> tre of the roadway within which buildings and <sup>structures adja-</sup> fences may not be placed. <sup>cent to high-</sup> roads.

(2) The Minister may agree with the owners or occupants of land adjoining a Highway with respect to the moving, removal or construction of wire or other types of fence along any Highway, and may make compensation therefor; and the Minister may in any event erect fences, but shall not be bound to keep them in repair.

40. No person shall do or cause or permit to be done <sup>Injunction.</sup> whether on his own property or otherwise, in any place adjacent to a highway anything in the reasonable opinion of the Minister may expose the highway to damage by the action of water, landslip, snow or ice or other natural forces. The Minister may proceed in the Supreme Court for an injunction against any such act or thing, either concurrently or in the alternative, for the cost of repair of any damage so caused: Provided however that the Court may

refuse such injunction or damages on the ground that the act complained of is a reasonable enjoyment by such person of his own property and that it is for the Minister to protect the highway from the effects thereof.

Highroad connecting with highway or railway.

41. (1) Whether a Highroad connects with or intersects a highway which is not a Highroad, or a railway, the continuation of the Highroad to its full width across the highway, or railway, so connecting or intersected, including bridges and culverts thereon, shall be a part of the Highroad.

Altering road intersecting or affording access to highroad.

(2) Where it is deemed desirable to change the grade, or make any alterations upon a road intersecting or affording means of access to a highroad, or giving access to private property, the cost of continuing its width shall be part of the cost of the construction of the Highroad and shall be borne and paid accordingly.

Construction of highway leading to or near highroad.

42. The Minister may construct and operate such works upon any highway leading to or in the neighbourhood of a Highroad as he may deem necessary or expedient for the purpose of transportation of material and supplies, or he may contract with any person so to do, or may lease or acquire lands or property and construct and operate such works thereon for such purposes.

Construction of highway within municipality.

43. When it is deemed by the Minister desirable and expedient that a highway or portion thereof within a municipality, including any necessary bridges, shall be constructed as a connecting link between portions of a Highway, the Minister may designate such highway or portion thereof within the municipality to be constructed by the municipality, and may arrange with the council of the said municipality the apportionment of the costs of the construction of the highway and bridges within the said municipality.

Sidewalks.

44. (1) The Council of any municipality through

which a Highroad is situate may construct side-walks thereon, but subject always to the approval of the Minister first had and obtained.

- (2) The Minister must first obtain the consent of <sup>Work in St.</sup> the Municipal Council before any work can be <sup>John's.</sup> commenced in the city of St. John's.

45. The corporation of any municipality through in <sup>Agreement</sup> or upon which any part of a Highroad is situate or any <sup>between muni-</sup> owner of abutting property, may enter into an agreement <sup>cipality and</sup> with the Minister for the construction of a pavement or roadway of greater width or with different specifications to those for the remainder of the roadway, and the Minister may construct a pavement or roadway of such additional width or varied specifications through the municipality or such portion thereof as may be agreed upon

46. A municipality shall not close or divert any road <sup>Municipality</sup> or right of way for a road entering or touching upon or <sup>not to close or</sup> giving access to the Highroad without the consent of the <sup>divert road.</sup> Minister first had and obtained.

47. (1) The Minister shall have, and may exercise with <sup>Powers of</sup> in the limits of any municipal corporation <sup>Minister along</sup> along the course of the Highroad all the powers <sup>highroad in</sup> which may be exercised by a municipal corporation <sup>municipality.</sup> authorized to lay out, maintain and construct a highway.

- (2) The Minister shall in respect of a Highroad <sup>Rights, powers</sup> under his jurisdiction have all the rights, pow- <sup>etc., of Min-</sup> ers, benefits and advantages conferred by <sup>ister in respect</sup> bye <sup>of highroad.</sup> law or contract or otherwise upon the municipality or authority which had jurisdiction over the said road before it was assumed by the Minister and the Minister may sue upon such rights or under such agreement or contract in the same manner and to the same extent as the municipality or authority might have done if such road had not been adopted as a Highroad.



Obstruction of  
highway; En-  
croachments.

48. (1) No municipality or person shall obstruct or deposit rubbish, filth, ashes or other material upon, enter upon, take up or in any way interfere with a Highway for the purpose of laying down or repairing any drain, sewer, water pipe, gas pipe, conduit or any other structure beneath the surface of the Highway, except with the consent of the Minister, and under and subject to such terms and conditions as to the manner and location of the work, the terms at which it is to be performed, the disposal of material and the replacing of the surface as the Minister may prescribe.

(2) Any person who shall encroach upon or obstruct any highway, beach or landing place or the public way thereto shall be liable on summary conviction to a penalty not exceeding twenty dollars and may be ordered to remove such encroachment or obstruction, and in default of so removing the same within the time fixed by the Magistrate such encroachments or obstructions may be removed by order of such Magistrate and the persons so encroaching or obstructing may be ordered to pay the cost of removal of any such encroachment or obstruction; provided, however, that the Magistrate shall not have jurisdiction if the defendant should raise a *bona fide* claim of title to land.

Wires and  
poles.

49. Telegraph, telephone and electric light or power wires and poles may be carried along or erected upon or across a Highway, subject to the consent of the Minister first had and obtained, and to terms and conditions approved by the Minister.

Works or struc-  
tures on high-  
ways.

50. (a) Where any person has any works or structures upon or crossing a Highway, the Minister shall have authority to repair or make such alterations in location or elevation or grade as may

be necessary to the proper construction of the Highway, and may make such apportionment of the cost as may be equitable to all parties interested.

- (b) If the owner of such works or structures is unable to agree with the Minister as to his share of the cost of any work under the authority of this section, the decision of the Minister shall be final and not subject to appeal.

51. (a) While the construction, repair or improvement of any work authorized by this Act is in progress on a Highway the Minister may close any highway or any portion thereof to traffic for such times as he may deem necessary, and any person using a highway so closed shall do so at his own risk, and shall not have a right to recovery of damages in case of accident or injury.

- (b) Every person who uses any highway so closed to traffic, or who removes or defaces any notice or obstruction placed thereon by lawful authority, shall incur a penalty not exceeding \$50.00, recoverable before a Stipendiary Magistrate by summary process, and shall be liable for any damages or injury to the highway or to the property of the Crown occasioned by such trespass.

- (c) While the construction, repair or improvement of a Highway or any work authorized by this Act is in progress on a Highway, the Minister may where necessary but shall not be bound to, provide and keep in repair a reasonable alternative route or routes for traffic, or may enter into an agreement with the Council of any municipality for such purpose.

52. (a) The Minister may plant trees upon a Highway, and the cost thereof shall be part of the repair and maintenance.

Penalty for  
damage to  
trees.

- (b) No person shall injure, destroy, cut or prune any trees within the limits of a Highway without the consent of the Minister first had and obtained under a penalty not exceeding One Hundred Dollars, recoverable upon summary conviction by a Stipendiary Magistrate.

Acquiring land  
for re-affores-  
tation.

- 53.** Lands adjacent to or in the vicinity of a Highway may be acquired by purchase by the Crown for the purposes of re-afforestation.

Remuneration  
of Commis-  
sioners.

- 54.** Whenever any sum is allocated for the making or repairing of a road or bridge and the work is to be done under the management and supervision of a Commissioner, not being a member of the public service, an amount not exceeding five per cent. of the said sum may be set aside for the remuneration of the said Commissioner.

Penalty.

- 55.** (1) Any offence against this Part of the Act for which no penalty is provided by Regulations made hereunder shall be punishable by a fine not exceeding twenty dollars and in case of default by imprisonment not exceeding one month. Any offence against this Act or against any Regulation made hereunder shall be punishable upon summary proceedings before a Stipendiary Magistrate.

- (2) Every fine when collected and every fee for a permit under Section 9 (g) of the Highway Traffic Act 1925, shall be for the use of His Majesty and shall be paid into the Separate Fund mentioned in Section 56.

License Fees  
separate fund.

- 56.** The moneys arising from license fees upon motor vehicles, less such part thereof as may be payable to municipalities by virtue of any Act, shall be kept as a separate fund, to be called the Highroad Fund; such fund shall be used only for the construction and repair and maintenance of highroads and the control of traffic thereon, includ-

ing all incidental expenses and the purchase of necessary machinery, and shall be expended for the above purposes on the advice of the Highroads Board with the consent of the Controller of the Treasury.

*Part VII. Miscellaneous*

57. All actions, suits and other proceedings for the enforcement of any contract, agreement, or obligations in respect of any public work, may be instituted in the name of the Attorney General.

58. No action shall be commenced against any person acting under the authority of the Minister of Public Works for anything done by him in connection with the carrying out of any public work until one month after notice in writing shall have been delivered to him or left at his usual place of abode by the party who intends to institute such action or his solicitor, which notice shall clearly and explicitly state the cause of action, the name and place of abode of the intending plaintiff, and the name and place of abode of his solicitor, if any.

59. The Governor in Council may from time to time require any person, or any municipal or other authority, having the possession or custody of any maps, plans, specifications, estimates, reports, or other papers, books, drawings, instruments, models, contracts, documents or records, which are not private property, and which relate to any public work, to deliver the same forthwith to the Deputy Minister.

60. A copy of any map, plan or other document in the custody of the Deputy Minister, certified by him to be a true copy, shall be held to be authentic and shall be *prima facie* of the same legal effect as the original in any Court or elsewhere.

61. All proclamations, regulations, or Orders in Council, made under this Chapter, shall be published in the *Newfoundland Gazette*.

Actions and  
suits, how  
instituted.  
Actions against  
Commission-  
ers, etc.  
Securing of  
plans, etc.,  
relating to  
public works.  
Certified copies  
to be evidence.  
Publication of  
Proclamations,  
Orders, etc.

Interpretation  
of terms.

**62.** In this Act—

“Minister” shall mean “The Minister of Public Works.”

“Highroad” shall mean a road designated as a highroad under Section 34 of this Act.

“Highway” shall include a common and public highway, road, street, avenue, parkway, driveway, square, place, bridge, culvert, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles and shall include Highroad as above defined except where the context does not permit.

Regulations of  
Highroads Com-  
mission to re-  
main in force.

**63.** All Regulations made by the Highroads Commission shall continue in force until rescinded, altered or amended by the Minister under this Act.

Repeal.

**64.** The Chapters and Acts mentioned in the Schedule hereto are hereby repealed to the extent set forth in the third column thereof.

Short Title.

**65.** This Act may be cited as the “Department of Public Works Act, 1932.”

## SCHEDULE

Schedules.

*Enactments Repealed*

Session and Chapter	Title or Short Title	Extent of Repeal
Consolidated States (Third Series) Chapter 13.	Of the Department of Public Works	The whole Chapter.
Consolidated Statutes (Third Series) Chapter 33.	Of Roads and Road Commissioners	The whole Chapter.
11 Geo. V., Cap. 38.	An Act respecting the Department of Public Works.	The whole Act.
15 Geo. V., Cap. 5.	The Highroads Commission Act.	The whole Act.
19 Geo. V., Cap. 12.	An Act to amend the Highroads Commission Act, 1925.	The whole Act.
20 Geo. V., Cap. 6.	An Act to amend the Act 15 Geo. V., Cap 5 entitled "An Act to Provide for the construction, re- construction and main- tenance of highroads."	The whole Act.
20 Geo. V., Cap. 26.	An Act to amend Cap. 13 of the Consolidated Stat- utes (Third Series) en- titled "Of the Depart- ment of Public Works."	The whole Act.



## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

CAP. XXII.

AN ACT TO AMEND THE HIGHWAY TRAFFIC  
ACT, 1925.

A.D. 1932

(Passed April 30, 1932.)

## SECTION

- 1.—Amendment of Section 2.  
Highway Traffic Act, 1925.
- 2.—Amendment of Section 3.
- 3.—Amendment of Section 4.
- 4.—Amendment of Section 5.
- 5.—Amendment of Section 6.
- 6.—Amendment of Section 7.
- 7.—Amendment of Section 9.
- 8.—Amendment of Section 10.
- 9.—Amendment of Section 12.
- 10.—Amendment of Section 13.
- 11.—Amendment of Section 16.
- 12.—Amendment of Section 17.
- 13.—Amendment of Section 19.
- 14.—Amendment of Section 20.
- 15.—Amendment of Section 21.
- 16.—Amendment of Section 22.
- 17.—Amendment of Section 23.

## SECTION

- 18.—Amendment of Section 24.
- 19.—Amendment of Section 25.
- 20.—Amendment of Section 28.
- 21.—Amendment of Section 29.
- 22.—Amendment of Section 30.
- 23.—Amendment of Section 33.
- 24.—Amendment of Section 34.
- 25.—Amendment of Section 37.
- 26.—Amendment of Section 51.
- 27.—Amendment of Section 52.
- 28.—Amendment of Section 55.
- 29.—Amendment of Section 56.
- 30.—Amendment of Section 57.
- 31.—Amendment of Section 58.
- 32.—Amendment of Section 61.
- 33.—Amendment of Section 64.
- 34.—Amendment of Section 65.
- 35.—Amendment of Section 68.
- 36.—Short Title.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:*

1. Sub-section (c) of Section 2 of the Highway Traffic Act, 1925, is hereby repealed and the following substituted therefor: <sup>Amendment of Section 2, Highway Traffic Act, 1925.</sup>

(c) "Minister" shall mean "The Minister of Public Works," and "Department" shall mean "The Department of Public Works."

2. (1) Sub-section (a) of Section 3 of the said Act as amended by Section 2 of the Act 19 George V, <sup>Amendment of Section 3.</sup> Chapter 13, is hereby repealed and the following substituted therefor:

(a) The owner of every motor vehicle shall register the same with the Department of Public Works before driving or operating or causing the same to be driven or operated upon a highway and shall pay to the said Department such charges as the Minister upon the recommendation of the Highroads Board may fix for the registration of such motor vehicle and the number plates therefor. No car which is not actually in Newfoundland at the time of registration may be registered.

(2) Sub-section (b) of the said Section is hereby amended by striking out the word "Commission" and substituting therefor the word "Minister."

(3) Sub-section (c) of the said Section is hereby amended by striking out the word "Commission" and substituting therefor the word "Minister."

- (4) Sub-section (d) of the said Section is hereby amended by striking out the word "Commission" in two places and substituting therefor the word "Minister."

Amendment of  
Section 4.

3. (1) Sub-section (a) of Section 4 is hereby amended by striking out the word "Commission" and substituting therefor the word "Minister."
- (2) Sub-section (b) of the said Section is hereby amended by striking out the word "Commission" and substituting therefor the word "Department."
- (3) Sub-section (c) of the said Section is hereby amended by striking out the word "Commission" where it first occurs and substituting therefor the word "Department," and by striking out the word "Commission" where it next occurs and substituting the word "Minister."

Amendment of  
Section 5.

4. (1) Sub-section (a) of Section 5 is hereby amended by striking out the word "Commission" and substituting therefor the word "Department."
- (2) Sub-section (c) of the said Section is hereby amended by striking out the word "Commission" and substituting therefor the word "Department."

Amendment of  
Section 6.

5. (1) Sub-section (a) of Section 6 is hereby amended by striking out the word "Commission" and substituting therefor the word "Department."
- (2) Sub-section (b) of the said Section as amended by Section 3 of the Act 19 George V, Chap-

ter 13, is hereby further amended by striking out the word "Commission" and substituting therefor the word "Department."

- (3) Sub-section (c) of the said Section is hereby amended by striking out the word "Commission" and substituting therefor the word "Department."
- (4) Sub-section (d) of the said Section is hereby amended by striking out the word "Commission" and substituting therefor the word "Department."
- (5) Sub-section (e) of the said Section is hereby amended by striking out the word "Commission" in three places and substituting therefor the word "Department."

6. Sub-section (a) of Section 7 is hereby amended by striking out the word "Commission" and substituting therefor the word "Department." Amendment of Section 7.

7. (1) Sub-section (b) of Section 9 is hereby amended by striking out the word "Commission" and substituting therefor the word "Department." Amendment of Section 9.

- (2) Subsection (c) of the said Section is hereby amended by striking out the word "Commission" and substituting therefor the word "Minister."
- (3) Sub-sections (d), (f) and (g) of the said Section are hereby amended by striking out the word "Commission" wherever it occurs and substituting therefor the word "Department."

8. (1) Sub-sections (c), (e) and (h) of Section 10 are hereby amended by striking out the word "Commission" wherever it occurs and substituting therefor the word "Minister." Amendment of Section 10.

- (2) Sub-section (i) of the said Section is hereby amended by striking out the word "Commission" and substituting therefor the word "Department."

Amendment of Section 12. 9. Sub-section (b) of Section 12 is hereby amended by striking out the word "Commission" and substituting therefor the word "Minister."

Amendment of Section 13. 10. Sub-section (c) of Section 13 is hereby amended by striking out the words "and with the permission of the Commission."

Amendment of Section 16. 11. (1) Sub-section (a) of Section 16 is hereby amended by striking out the words "an instructor approved by the Commission" and substituting therefor the words "a licensed driver"; and by striking out the word "Commission" where it occurs the second time and substituting therefor the word "Minister."

- (2) Sub-section (c) of the said Section is hereby amended by striking out the word "Commission" and substituting therefor the word "Minister"; and by striking out the words "as it may prescribe" and substituting therefor the words "as he upon the advice of the Highroads Board may prescribe."

- (3) Sub-section (d) of the said Section is hereby amended by striking out the word "Commission" wherever it occurs and substituting therefor the words "Chief Officer of the Newfoundland Constabulary Force."

- (4) Sub-section (e) of the said Section is hereby amended by striking out the word "Commission" and substituting therefor the word "Department."

- (5) Sub-section (f) of the said Section is hereby amended by striking out the word "Commission" and substituting therefor the words "Chief Officer of the Newfoundland Constabulary Force."

12. Sub-Section (a) of Section 17 is hereby amended by adding at the end thereof the words "Provided that production of the license within 48 hours at the police station in the place where the driver resides shall be sufficient production." Amendment of  
Section 17.

13. Section 19 is hereby amended by striking out the word "Commission" and substituting therefor the words "Minister on the advice of the Highroads Board." Amendment of  
Section 19.

14. Section 20 is hereby amended by striking out the word "Commission" wherever it occurs and substituting therefor the words "Minister on the advice of the Highroads Board." Amendment of  
Section 20.

15. Section 21 is hereby amended by striking out the word "Commission" wherever it occurs and substituting therefor the word "Department." Amendment of  
Section 21.

16. Section 22 is hereby amended by striking out the words "25 miles per hour" and substituting the words "30 miles per hour." Amendment of  
Section 22.

17. Sub-section (b) of Section 23 is hereby amended by striking out the word "Commission" and substituting therefor the word "Chief Officer of the Newfoundland Constabulary Force." Amendment of  
Section 23.

18. Section 24 is hereby amended by striking out the word "Commission" and substituting therefor the words "Chief Officer of the Newfoundland Constabulary Force." Amendment of  
Section 24.



- Amendment of  
Section 25.      **19.** Sub-section (c) of Section 25 is hereby amended by striking out the words "10 miles an hour" and substituting the words "15 miles an hour."
- Amendment of  
Section 28.      **20.** Sub-sections (c) and (d) of Sections 28 are hereby amended by striking out the word "Commission" wherever it occurs and substituting therefor the word "Minister."
- Amendment of  
Section 29.      **21.** Sub-section (c) of Section 29 is hereby amended by striking out the word "Commission" and substituting therefor the word "Minister."
- Amendment of  
Section 30.      **22.** (1) Sub-section (b) of Section 30 as amended by Section 9 of the Act 19 George V., Chapter 13, is hereby further amended by striking out the word "Commission" and substituting therefor the word "Department."
- (2) Sub-section (f) of the said Section as enacted by Section 9 of the Act 19 George V., Chapter 13, is hereby repealed and the following substituted therefor:
- (f) The Minister may close any portion of any highroad or highway for any period or periods to any class or type or classes or types of traffic, whether an alternative route be available or not, when in his opinion such traffic would be injurious to the highroad or highway by reason of the condition of such highroad or highway from whatsoever cause arising, and shall advertise such closing and the termination thereof by public notice in any newspaper or newspapers circulating in the area affected or by placard or public notice or such other means of bringing the matter to the notice of the public as may seem expedient.

23. Section 33 as amended by Section 10 of the Act 19<sup>Amendment of  
Section 33.</sup> George V., Chapter 13, is hereby further amended by striking out the word "Commission" in two places and substituting therefor the word "Department."

24. Section 34 is hereby repealed and the following<sup>Amendment of  
Section 34.</sup> substituted therefor:

34. Notwithstanding anything contained in this Part and in Part VII., the Minister may further restrict the permissible gross weight where roads, bridges or culverts are not in a condition to bear the gross weight which would otherwise be permissible.

25. (1) Sub-section (a) of Section 37 as amended by Section 11 of the Act 19 George V., Chapter 13,<sup>Amendment of  
Section 37.</sup> is hereby further amended by striking out the words "as defined by the Highroads Commission Act, 1925," and substituting therefor the words "as defined by the Public Works Act, 1932."

(2) Section 37 as amended by Section 11 of the Act 19 George V., Cap. 13 is hereby further amended by adding the following as sub-section (o).

(o) The Minister, on the advice of the Highroads Board and on the recommendation of the Chief Officer of the Newfoundland Constabulary Force may make Regulations requiring drivers of motor vehicles to make signals by hand or by means of suitable electrical or mechanical signalling devices for the purposes of indicating their intended movements and in order to avoid accidents.

26. Section 51 is hereby amended by striking out the<sup>Amendment of  
Section 51.</sup> word "Commission" and substituting therefor the words "Minister on the advice of the Highroads Board."

Amendment of  
Section 52.

27. Section 52 as amended by Section 13 of the Act 19 George V., Chapter 13, is hereby repealed and the following substituted therefor:

- 52 (1) The scale of fees for the licensing of motor vehicles generally shall not apply to motor vehicles used by selling agents of manufacturers of motor vehicles solely for demonstration purposes, but the Minister, on the advice of the Highroads Board, may make Regulations for:
- (a) The number plates or marks to be carried by such motor vehicles when being demonstrated;
  - (b) The conditions under which such plates or marks may be used and the vehicles on which the same may be used and the persons who may be in charge of such vehicles while the plates are in use;
  - (c) The number of such licenses which may be issued to any manufacturer's agent;
  - (d) The scale of fees to be paid therefor.
- (2) A "service" car or other motor vehicle used by a manufacturer's agent or garage proprietor for the purpose of his business shall not be deemed to be used for demonstration purposes but shall be licensed in the regular manner.
- (3) The Minister, on the advice of the Highroads Board, may determine whether a person shall or shall not be deemed to be the selling agent of a manufacturer of motor vehicles.
- (4) The proper officer of the Department in St. John's, or a police officer outside St. John's, may give permission for the moving of a car

in the charge of a garage employee from one point to another by road notwithstanding such car is not registered.

**28.** Section 55 is hereby repealed and the following substituted therefor: Amendment of  
Section 55.

55. The Minister of Finance and Customs shall on the 30th day of April and the 31st day of October respectively in each year pay to any municipality one-quarter of the amount received by the Department of Public Works during the preceding six months ending the 31st day of March and the 30th day of September respectively in each year as fees for licenses and permits hereunder from persons residing in such municipality when the said fees were due and payable, and shall likewise pay over one-quarter of all fines and forfeitures received through the Department of Justice in respect of offences against this Act or against Regulations made under this Act.

**29.** Sub-section (b) of Section 56 is hereby amended Amendment of  
Section 56. by striking out the words and figures "and 48" and substituting therefor the words and figures "71, 72 and 73."

**30.** Sub-section (a) of Section 57 is hereby amended Amendment of  
Section 57. by striking out the figures "48" and substituting therefor the words and figures "71, 72 and 73."

**31.** Section 58 as re-enacted by Section 2 of the Act Amendment of  
Section 58. 20 George V, Chapter 7 is hereby amended by striking out the word "Commission" in two places and substituting therefor the words "Minister on the advice of the Highroads Board and."

**32.** (1) Sub-section (a) of Section 61 is hereby Amendment of  
Section 61. amended by striking out the word "Commis-

sion" in two places and substituting therefor the word "Minister."

(2) Sub-section (b) of the said Section is hereby repealed and the following substituted therefor:

(b) The salaries, allowances and expenses for the purposes mentioned in sub-section (a) shall be payable out of the Road Fund provided under Section 56 of the Department of Public Works Act, 1932, on the advice of the Highroads Board with the consent of the Department of Finance.

Amendment of Section 64. **33.** Section 64 is hereby repealed and the following substituted therefor:

64. Every penalty when collected shall be paid through the Department of Justice to the Minister of Finance and Customs for the use of the Dominion and shall form part of the Road Fund referred to in Section 56 of the Department of Public Works Act, 1932.

Amendment of Section 65. **34.** (1) Sub-section (a) of Section 65 is hereby amended by striking out the word "Commission" and substituting therefor the word "Department."

(2) Sub-section (c) of the said Section is hereby amended by striking out the word "Commission and substituting therefor the words "proper officer of the Department."

Amendment of Section 68. **35.** Sub-section (b) of Section 68 is hereby amended by striking out the figures "48."

Short Title. **36.** The Acts 15 Geo. V. Chapter 6 and 19 Geo. V. Chapter 13 and 20 Geo. V. Chapter 7 and this Act may be cited together as "The Highway Traffic Acts 1925-32."

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGH V. REGIS.

## CAP. XXIII

AN ACT TO AMEND CHAPTER 35 OF THE CONSOLIDATED STATUTES (THIRD SERIES) ENTITLED "OF THE POSTAL AND TELEGRAPH SERVICES." AD. 1932.

(Passed April 30, 1932)

## SECTION

- 1.—Letter Postage and Registration.
- 2.—Miscellaneous postage rates.

## SECTION

- 3.—Franking of certain mail matter.
- 4.—Postage rate on newspapers mailed from the office of publication.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

1. Section 20 of Chapter 35 of the Consolidated Statutes (Third Series) and Section 6 of the Act 8-9 George V. Letter Postage and Registration charges



V., Chapter 31 and Section 2 of the Act 11 George V., Chapter 37 and Section 1 of the Act 12-13 George V., Chapter 10 are hereby repealed and the following is substituted for Section 20 of the said Chapter 35.

20. (1) The postage on prepaid letters and letter packets posted within the Dominion shall be at the following rates:—
- (a) On Letters posted in any town or settlement in the Dominion for delivery in the same town or settlement three cents per ounce weight or fraction thereof.
  - (b) On letters posted within the Dominion for delivery within the Dominion elsewhere than in the town or settlement where posted four cents for the first ounce weight and two cents for each additional ounce or fraction thereof.
  - (c) On letters posted within the Dominion for delivery in the British Empire or in the United States of America, five cents per ounce weight or fraction thereof.
  - (d) On letters posted within the Dominion for delivery in other countries seven cents for the first ounce weight and four cents for each additional ounce or fraction thereof.
  - (e) On post cards for delivery within the Dominion two cents. On post cards for delivery outside the Dominion three cents.
- (2) The registration fee on letters or other mailable matter for delivery within the Dominion shall be five cents.
- (3) All letters or packets containing gold, silver

or other money or jewels or precious articles for transmission within the Dominion must be registered by the sender and, if not, a double registration fee shall be collected upon delivery to the receiver.

- (4) Letters or other mailable matter posted unpaid shall be chargeable on delivery to the addressee with double postage; if insufficiently paid they shall be chargeable with double the amount of the deficiency.

2. Section 23 of the said Chapter as amended by Section 2 of the Act 12-13 George V., Chapter 10 is hereby repealed and the following substituted therefor:—

Miscellaneous  
postage rates.

23. The following articles posted for transmission within the Dominion shall be liable to postage at the rate of one cent for every two ounces or fraction thereof, namely:

Newspapers or other periodicals, when mailed otherwise than from the office of publication, books, pamphlets, occasional publications, printed circulars, prices current, hand bills, book and newspaper manuscript, printers' proof sheets whether corrected or not, maps, prints, drawings, engravings, lithographs, photographs (when not on glass or in cases containing glass), sheet music whether printed or written, documents wholly or partly printed or written, patterns or samples of goods or merchandise.

3. Section 24 of the said Chapter as amended by Section 7 of the Act 11 George V., Chapter 36 is hereby repealed and the following substituted therefor:—

Franking of  
certain mail  
matter.

24. The following matter shall be exempt from local postage, namely:

- (1) Letters and mailable matter on official business, enclosed in official envelopes of the appropriate Department or office and franked with the initials of one of the following persons (which initials may be impressed with a rubber stamp by any person properly authorized for that purpose): The Governor, his Private Secretary or Aide de Camp; The Judges and Registrar of the Supreme Court; The Minister at the Head of any Department of Government, and his Deputy or Deputies, if any, including the Secretary of Public Health, the Commissioner of Public Welfare, and other officers, however named, in the position of Deputy Heads; Ministers without portfolio; The Judges of the District Courts; The Comptroller and Auditor General; The Solicitor General; The Inspector General or Superintendent of Constabulary; Stipendiary Magistrates; Members of the House of Assembly while the Legislature is in Session; The Secretary of the Council of Higher Education; The Secretary of the Pensions Board; The Registrar of Deeds and Companies; The Medical Superintendents of Government Medical Institutions, including the Home for the Aged and Infirm; The Secretary and Superintendents of Education; The Registrar of Vital Statistics, and The Secretary of The Game and Inland Fisheries Board.
- (2) Letters and mailable matter addressed by Government officials on official business to any Department, office, or person, on the above list, enclosed in an official envelope and franked with the initials,

written personally, of the official sending the same.

- (3) Letters and mailable matter sent by any of the following organizations in printed or lithographed official envelopes of such organization, and franked with the initials of the Secretary thereof (which may be impressed with a rubber stamp by any person properly authorized for such purpose):—The Permanent Marine Disasters Fund, The Newfoundland Outport Nursing and Industrial Association, and The Great War Veterans' Association.

4. Section 25 of the said Chapter as amended by <sup>Postage rate</sup> Section 3 of the Act 12-13 George V, Chapter 10 is hereby <sup>on newspapers</sup> repealed and the following substituted therefor: <sup>mailed from</sup> <sup>the office of</sup> <sup>publication.</sup>

25. (1) Upon newspapers, including for the purposes of this section magazines, and similar periodicals, mailed by the publisher in the Post Office at the place where they are published and addressed to regular subscribers or newsdealers in the Dominion resident elsewhere than in the place of publication, subject to the provisions of this Section, the rate of postage shall be one cent per pound weight.

- (2) The provisions of this Section shall apply only to a newspaper or periodical which:
- (a) is known and recognized as a newspaper or periodical in the generally received sense of the word and consists wholly or in the greater part of general news and current topics and articles relative thereto and is published regularly at intervals of not more than one month;

- (b) has the full title, place and date of publication and the distinguishing number of the issue printed thereon and also on any paper, print, lithograph or engraving purporting to be a supplement to such newspaper or periodical and sent with it;
- (c) is addressed to a bona fide subscriber or to a known newsdealer in this Dominion; and
- (d) is delivered into the Post Office under such Regulations as the Minister of Posts and Telegraphs from time to time may make for that purpose.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

CAP. XXIV.

AN ACT TO AMEND THE RADIO TELEGRAPH  
ACT, 1930.

A.D. 1932

(Passed April 30, 1932.)

## SECTION

1.—Amendment of Sec. 11,  
Radio Telegraph Act, 1930.

## SECTION

2.—Prevention of electrical  
interference with radio re-  
ception.

*Be it Enacted by the Governor, the Legislative Council  
and House of Assembly, in Legislative Session con-  
vened, as follows:*

1. Section 11 of the Radio Telegraph Act, 1930, is hereby amended by adding thereto the following sub-section:—

Amendment of  
Sec. 11, Radio  
Telegraph Act,  
1930.

- (1) To compel all dealers in radio telegraph or radio telephone apparatus to furnish to him



from time to time lists of persons to whom they have sold apparatus or radio receiving sets; such lists to be proved by statutory declaration if so required by him.

Prevention of  
electrical  
interference  
with radio  
reception.

2. The said Act is hereby further amended by adding thereto as Section 15 the following:

15. The Minister may by his officials or agents inspect and test any electrical machinery, apparatus or contrivance, transmission line or part thereof, which causes or is by him suspected of causing interference with the reception of radio signals; and for that purpose may at all reasonable times enter any building or place where any such machinery, apparatus or contrivance may be or may by him be suspected to be; and the owner or operator shall afford all necessary facilities for inspection and testing; and the Minister may by notice require the owner or operator of such machinery, apparatus or contrivance to make such alterations or adjustments or to affix such supplementary apparatus thereto as may in his opinion prevent such interference: provided that the Minister shall not have power under this Section to require the owner or operator to incur expense exceeding two per cent. of the cost or value of the machinery, apparatus or contrivance in question. Any person refusing to permit inspection or testing of any such machinery, apparatus or contrivance or to permit entry for that purpose at reasonable hours or to facilitate inspection and testing, or failing upon notice to take such measures for the prevention of interference as he may be required by the Minister to do shall be liable on summary conviction to a penalty not exceeding Fifty dollars for each offence.

# NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

## GEORGI V. REGIS.

CAP. XXV

AN ACT FURTHER TO AMEND THE ACT 20<sup>A.D. 1932.</sup>  
 GEORGE V., CHAPTER 3, ENTITLED "AN ACT  
 AUTHORIZING THE GOVERNOR IN COUNCIL  
 TO ENTER INTO A CONTRACT WITH THE  
 AMERICAN TELEPHONE AND TELEGRAPH  
 COMPANY."

(Passed April 30, 1932)

### SECTION

Recitals.

1.—Extension of time for per-

### SECTION

formance of Contract exe-  
 cuted under Act 20, Geo.  
 V., Cap. 3.

WHEREAS by the Act 20 George V., Chapter 3, His<sup>Recitals.</sup>  
 Excellency the Governor in Council was authorized to  
 execute and deliver an Agreement between His said Exce-  
 lency the Governor and American Telephone and Telegraph  
 Company of New York, in the State of New York, in the

United States of America, in the form set forth in the Schedule to the said Act.

AND WHEREAS on the 20th day of June, 1929, an Agreement in the form set forth in the said Schedule was duly executed under the Great Seal of the Dominion and the Common Seal of the said American Telephone and Telegraph Company.

AND WHEREAS by the Act 22 George V., Chapter 4, the said Company was granted further time than that provided in the said Agreement within which to commence and complete the works provided for in the said Agreement.

AND WHEREAS it is desirable to grant to the said Company further time within which to commence and complete the works provided for in the said agreement.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

Extension of  
time for per-  
formance of  
Contract execu-  
ted under Act  
20, Geo. V.,  
Cap. 3.

1. Paragraph 12 of the Agreement of June 20, 1929, made between His Excellency Sir John Middleton, K.B.E., C.M.G., Governor of the Colony of Newfoundland and its Dependencies in Council of the first part and American Telephone and Telegraph Company of New York, in the State of New York, in the United States of America, of the second part shall be read as if instead of the words "within two years from the date hereof" there were inserted the words "before the 31st day of December, 1935," and as if instead of the words "within three years from the date hereof," there were inserted the words "before the 31st day of December, 1936."

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

# GEORGII V. REGIS.

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CAP. XXVII.

AN ACT AUTHORIZING THE GOVERNOR IN COUN-  
CIL TO ENTER INTO A CONTRACT WITH  
ANGLO-AMERICAN TELEGRAPH COMPANY,  
LIMITED, AND WESTERN UNION TELEGRAPH  
COMPANY.

A.D. 1932.

(Passed April 30, 1932.)

### SECTION

1.—Governor in Council may  
enter into agreement with  
Anglo-American Telegraph  
Co. Ltd. and Western

### SECTION

Union Telegraph Co.  
2.—Repeal.  
Schedule.

*Be it Enacted by the Governor, the Legislative Council and  
House of Assembly in Legislative Session convened, as  
follows:*

Governor in  
Council may  
enter into  
agreement with  
Anglo American  
Telegraph  
Co. Ltd. and  
Western Union  
Telegraph Co.

1. His Excellency the Governor in Council is hereby authorized to enter into, execute and deliver an Agreement with Anglo-American Telegraph Company, Limited, and Western Union Telegraph Company in the terms of the Schedule hereto, and the said Agreement when entered into and executed shall be valid and binding on the parties thereto and shall have effect as if incorporated in this Act.

Repeal.

2. Sections 6, 7, 8 and 14 of the Act 17 Victoria, Chapter 2, entitled "An Act to Incorporate a Company under the Style and Title of "The New York, Newfoundland, and London Telegraph Company," are repealed. Such repeal shall operate from the date of the execution of the agreement hereinbefore referred to.

### SCHEDULE

Schedule.

THIS AGREEMENT made at Saint John's in the Dominion of Newfoundland this       day of       Anno Domini One thousand nine hundred and thirty-two BETWEEN His Excellency Sir John Middleton, K.C.M.G., K.B.E., Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies in Council (hereinafter called "the Government") of the first part the Anglo American Telegraph Company Limited a company incorporated under the laws of England of the second part and the Western Union Telegraph Company a company incorporated under the laws of the State of New York of the third part.

WHEREAS the Anglo American Telegraph Company Limited and the Western Union Telegraph Company (hereinafter together called "the Companies") acting for themselves and as successors of the New York, Newfoundland and London Telegraph Company own operate and/or lease lines of Telegraph in the Island of Newfoundland,

AND WHEREAS the Companies as such successors have under Section 6 of the Act 17 Victoria Chapter 2, hitherto been under obligation to construct, complete, keep in order and operate a main or trunk line of magnetic electric or other telegraphs from St. John's to or towards Cape Ray and also from St. John's or to towards Trepassey and such lines have been constructed.

AND WHEREAS the Companies desire to be released from their obligations in respect of certain of the said lines as hereinafter set forth and the Government desires to acquire and take over the same and consolidate them with the lines now owned by the Government.

AND WHEREAS the Western Union Telegraph Company has an agreement with the Reid Newfoundland Company dated the 13th day of January 1920 and relating *inter alia* to the use of the railroad right of way, free transportation and public telegraph business at railroad stations and the Government as successor to the Reid Newfoundland Company in the operation of the Railway has been performing the Railway's part of such agreement since the year 1923 and it is mutually desired to terminate the said agreement and in lieu thereof to make such new agreement as is hereinafter set forth.

AND WHEREAS the Government has been duly authorized by an Act of the Legislature to enter into, execute and carry out this agreement.

NOW THEREFORE FOR AND IN CONSIDERATION OF THE MUTUAL COVENANTS OF THE PARTIES HEREINAFTER CONTAINED it is agreed between them as follows:

1. The Companies shall as from the date of this agreement respectively withdraw entirely from the handling for the public of any telegraph business between points in Newfoundland except as hereinafter expressly provided.



2. The Companies hereby respectively assign and surrender unto the Government all their respective right title and interest in and to those telegraph lines now existing and belonging to the Companies and situated as follows:

- (a) Along the South Coast of Newfoundland between Cape Ray and Placentia Junction via Rantem including the branch line Pushthrough to Bay du Nord.
- (b) Along the South East coast of Newfoundland from Waterford Bridge near St. John's to Trepassey including the branch lines, Stags Head to Cape Race and Fermeuse to Admiral's Cove.

3. The Government hereby accepts and takes over the said right, title and interest and hereby releases the Companies and all other the successors or assigns of the New York, Newfoundland and London Telegraph Company from all obligation to construct, complete and keep in order and operate a main or trunk line of magnetic electric or other telegraphs from St. John's to or towards Cape Ray and from St. John's to or towards Trepassey.

4. The Companies shall respectively have the perpetual right to construct, reconstruct, alter, maintain, relocate, use and operate to the extent hereinafter mentioned, overhead and underground telegraph lines within the Avalon Peninsula and the Isthmus thereto but not elsewhere, other than those surrendered hereunder, for connecting their submarine cable landing stations in Newfoundland with each other and with their St. John's offices and with such other offices as they may from time to time have in the Avalon Peninsula and the Isthmus thereto.

5. The Companies shall respectively be entitled to transmit over their above mentioned telegraph lines:

- (a) Messages originating outside of Newfoundland

and intended for destinations outside of Newfoundland.

- (b) Messages originating outside of Newfoundland and intended for delivery in the area at present served free of tolls by the St. John's telephone exchange.
- (c) Messages received at their St. John's offices for transmission by cable to destinations outside of Newfoundland:

Without payment of any tolls to the Government save such if any as may be payable on such last mentioned messages under Paragraph 8.

6. The Companies shall respectively have the right to transmit over their above mentioned telegraph lines, and as regards the Western Union Telegraph Company, over any further lines of telegraph which that company may construct under paragraph 10, all which telegraph lines are hereinafter called "said telegraph lines," messages received from points outside of Newfoundland for forwarding from their St. John's offices or any of their other offices present or future in the Avalon Peninsula and the Isthmus thereto which they may from time to time operate in connection with their ocean cable systems, to points in Newfoundland outside of the St. John's local telephone area above referred to, and messages received at any of their said other offices for transmission by cable to points outside of Newfoundland, provided that on messages so transmitted by them respectively under this paragraph, the Companies shall respectively pay to the Government during the continuance of the Government's present contract with the Commercial Cable Company, the same amounts as would have been payable to the Government under that contract if the messages had been received at the Commercial Cable Company's cable landing stations or terminals in the Avalon Peninsula and passed to Government land lines for

transmission to the addressees or transmitted by Government land lines to cable landing stations or terminals of the Commercial Cable Company in the Avalon Peninsula for transmission abroad, and that after the termination of the said existing contract the Companies shall respectively pay to the Government on any such messages so transmitted by them respectively, the same amounts as would have been payable to the Government under the most favourable agreement which the Government may from time to time have with any company other than the Companies if such messages had been handled by such other company under conditions corresponding *mutatis mutandis* to those mentioned above with regard to the Commercial Cable Company; and if there be no such agreement at any time, then reasonable amounts on a scale to be determined by arbitration.

7. The Companies may respectively also transmit over their said telegraph lines service messages relating to their respective businesses without payment of any tolls to the Government.

8. The Companies may respectively transmit to addressees by telephone messages transmitted to and deliverable from their St. John's offices, and may respectively receive by telephone at their St. John's offices messages for transmission from such offices, provided that on all such messages transmitted or received by the Companies respectively by telephone to or from points outside the area at present served free of tolls by the St. John's telephone exchange, the Companies shall respectively pay to the Government in lieu of the tolls mentioned in paragraph 6, the same amounts as would have accrued to the Government if such messages had been transmitted or received to or from such points over Government telegraph lines. The Companies shall respectively from time to time upon demand, afford all necessary facilities to the Department of Posts and Telegraphs for auditing or checking the Companies' returns of messages transmitted or received by telephone and messages liable to tolls under Clause 6 hereof.

9. The agreement dated the 13th day of January A.D. 1920 between the Western Union Telegraph Company and Reid Newfoundland Company, and since 1923 adopted and carried out by the Government as successors to Reid Newfoundland Company in the operation of the Newfoundland Railway, is hereby terminated by mutual consent. Settlement shall be made under such agreement in respect of all matters occurring or accruing prior to the date of this agreement.

10. The Government hereby grants to the Western Union Telegraph Company, its successors and assigns, the right to be exercised concurrently with the Government and with any other grantee or licensee of the Government, to construct, reconstruct, alter, maintain, relocate, use and operate lines of telegraph along, over, under and across the lines of railroad and the rights of way, lands and bridges thereof in the Peninsula of Avalon and the Isthmus thereto, for a term of twenty-five (25) years from the date of this agreement, and thereafter from year to year subject to termination upon one year's written notice from the Government, together with the right at all reasonable times to enter upon such railway and the rights of way and lands and bridges thereof for the purposes hereinbefore set forth relating to such further lines of telegraph and together with the right to use, subject to such reasonable regulations as the Government may from time to time establish, and without charge by the Government, upon the lines of the Newfoundland Railway, such hand driven, push or motor driven track cars as may be required for construction or maintenance work upon any of their said telegraph lines as hereinbefore defined, provided however that such further lines of telegraph shall be so located and operated, and such cars used and operated, in such manner as not in any way to interfere with or obstruct the management and operation of such lines of railway, or to interfere with any building, structures or property now or hereafter placed on such lines of railway for railway purposes, and provided further that the Western Union Telegraph Company, its successors

and assigns, shall not do or suffer to be done, any avoidable damage or injury to anything belonging to or appertaining to the Newfoundland Railway.

11. Upon the termination of the rights mentioned in the next preceding clause, the Western Union Telegraph Company, its successors and assigns, shall have the right to take away and remove their said further lines of telegraph and all the appurtenances thereof, but without doing any damage to the said railway or anything appertaining thereto.

12. In consideration of the foregoing, the Western Union Telegraph Company shall within three (3) days after the date of this agreement, pay to the Government of Newfoundland the sum of Thirty thousand nine hundred and forty Newfoundland dollars (\$30,940.00) or the equivalent thereof in Canadian funds.

13 No rights or obligations as now existing between the Government and the Companies respectively, shall in any manner be affected hereby except as hereinbefore expressly provided.

14. All matters of dispute arising between the Government on the one hand, and the Companies or either of them, on the other hand, upon any matter connected with or arising out of this agreement, shall be referred to three arbitrators, one to be named by the Government, a second to be named by the Companies jointly, or if only one of them is engaged in the dispute, then by that one singly, and a third to be named at the request of either party to the dispute, by the Supreme Court of Newfoundland or a Judge thereof, and the award and decision of such arbitrators shall be binding, and an award by such arbitrators shall be a condition precedent to the right of either party to any such dispute to bring any action against the other upon any such matter of dispute. The provisions of the "Judicature Act, 1904" shall apply to all submissions to Arbitration under

this agreement in the same manner as if Section 212 of that Act had not been enacted.

IN WITNESS WHEREOF His Excellency the Governor in Council has caused the Great Seal of the Dominion of Newfoundland to be set hereto and has signed these presents, and the Companies have caused the same to be executed in accordance with their regulations, the day and year first before written.

By His Excellency's Command,

Secretary of State.

The Common Seal of the Anglo American  
Telegraph Company, Limited, was  
hereunto affixed in the presence of :

Director.

Director.

The Common Seal of the Western Union  
Telegraph Company was hereunto  
affixed in the presence of :

President.

Secretary.



## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGH V. REGIS.

CAP. XXVII.

A.D. 1932.

AN ACT FOR THE CONTROL OF THE  
PUBLIC TREASURY

(Passed April 30, 1932.)

## SECTION

- 1.—Controller of the Treasury and Deputy Minister of Finance.
- 2.—Terms of his appointment; salary.
- 3.—Power of Controller to make regulations.
- 4.—Consent required for expenditures.

## SECTION

- 5.—Controller to have access to books and records.
- 6.—Repeal.
- 7.—Relations of this Act to Cap. 10, C.S.
- 8.—Short Title.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

Controller of  
the Treasury  
and Deputy  
Minister of  
Finance.

1. The Governor in Council shall appoint by commission under the Great Seal of the Dominion an officer to be called "The Controller of the Treasury and Deputy Minis-

ter of Finance'' (hereinafter called the Controller) who shall be the Deputy Head of the Department of Finance and shall have the powers and duties which are set out in general terms in the Schedule to this Act.

2. The Controller shall after a probationary period not exceeding six months during which he may be removed by the Governor in Council hold office during good behaviour and shall be removable only by the Governor on Address of the Legislative Council and the House of Assembly; and he shall be paid out of the Consolidated Revenue Fund, in twelve equal monthly instalments, an annual salary to be prescribed by Order in Council, which salary whence once so prescribed shall stand as if prescribed in this Act and shall thereafter not be alterable save by Statute.

Terms of his appointment; salary.

3. The Controller shall notwithstanding anything in any Act to the contrary have the power to make Regulations subject to the approval of the Governor in Council for the doing of any matter or thing with a view to the exercise of control over public moneys in the manner generally described in the Schedule. The expression "public moneys" in this Section shall have the same meaning as is given to it Section 2 (a) of the Consolidated Revenue and Audit Act, 1899.

Power of Controller to make Regulations.

4. (1) No expenditure shall be passed by the Comptroller and Auditor General as chargeable against the Newfoundland Exchequer Account unless the formal consent of the Department of Finance has been first given thereto in writing, signed by the Controller, in all cases where this is required by the Schedule to this Act or by Regulations made under this Act.

Consent required for expenditures.

(2) This Section shall be read in conjunction with the Consolidated Revenue and Audit Act, 1899.

5. The Controller shall at all times have free access to the books, accounts and records of every Government Department.

Controller to have access to books and records.

partment or office, including those of branches of the Government service which are conducted as corporations.

Repeal.

6. Section 2 of Chapter 10 of the Consolidated Statutes (Third Series) entitled "Of the Department of Finance and Customs," as amended by Section 1 of the Act 15 George V., Chapter 13, is hereby repealed in so far as it relates to the Deputy Minister of Finance.

Relations of  
this Act to  
Cap. 10 C.S.

7. This Act shall be read in conjunction with Chapter 10 of the Consolidated Statutes (Third Series) provided that in any case where the two Acts are not in accord this Act shall prevail.

Short Title.

8. This Act may be cited as "The Treasury Control Act, 1932."

Schedule.

### *SCHEDULE.*

## POWERS AND DUTIES OF THE CONTROLLER OF THE TREASURY AND DEPUTY MINISTER OF FINANCE

The principal functions of the Controller shall be :

1. To exercise "Treasury Control" over the expenditure of the Dominion, and to see that no expenditure is made which is not in accordance with law or for which funds are not available.

The invariable practice shall be that no new expenditure as hereinafter defined be incurred without the consent of the Department of Finance given in writing by formal letter or upon a form signed by the Controller who will in all important matters consult the Minister of Finance and Customs. If in case of emergency consent is given orally, it shall subsequently be confirmed in writing.

All proposals for expenditure not provided for in the Vote of a Department for which it is proposed to obtain an Order of the Governor in Council must first be submitted to the Department of Finance in order that the Minister may formally lay his views and those of the Controller upon the proposed expenditure before the Executive Council.

Any proposal on the part of a Department for new expenditure shall be forwarded in writing to the Controller with the following particulars:

- (1) The Department's reasons for recommending the scheme in question.
- (2) An estimate of the cost involved and a statement of dates on which payments will have to be made.
- (3) Such further particulars as the Controller may demand.

The Minister of Finance and Customs and the Controller shall approve the proposal only if they consider that the finances of the Dominion justify the expenditure, and if the necessary funds will be available on the dates required; provided that nothing herein shall prevent either the Minister or the Controller from representing to the Governor in Council their views against any proposal on its merits, notwithstanding that the necessary funds will be available on the dates required.

No recommendation for expenditure shall be considered unless made by or with the written consent of the Head of the recommending Department.

No Member of the Legislature or other person whatsoever shall be recognized as having authority to pledge the credit of the Government or to order work or goods on its behalf unless the Minister in charge of the Department concerned has given prior express authority in

writing specifying precisely the work to be done, the goods to be ordered or the money to be spent; such prior authority shall not be given in the case of any new work or service without prior reference to the Department of Finance as above mentioned.

No recommendation for the doing of any work or the incurring of any expense on behalf of the Government shall at any time be made direct to the Department of Finance, but only through the Head of a Department having to do with work or expenditure of the kind in question.

New expenditure is defined as follows, but this definition may be altered by regulation made under Section 3 of this Act:

- (1) Any new scheme or service which involves or may involve payment from public funds, whether or not this scheme or service is in pursuance of a general policy already adopted by the Government and whether or not provision has been made for it in the Vote of a Department. (In practice very small services or expenditures are not required to be submitted individually to the Department of Finance but the Department concerned will be authorized to undertake small works up to a definite limit to be specified.)
- (2) The creation of new posts and the appointment of additional staff whether permanent or temporary.
- (3) All increases in salary, other than such automatic increases by seniority or on promotion as are provided under any properly authorized scale or scheme and for which funds have been provided by the Legislature.
- (4) All proposals for additional payments to public servants over and above their respective salaries.

- (5) All proposals for special payments to any other person for services rendered.
- (6) All proposals for pensions, other than such as are provided for under any properly authorized scale or scheme and for which funds have been provided by the Legislature

2. To have general control over the collection of Death, Legacy, Estate or Probate Duties, Income Taxes, Profits Taxes, Sales Taxes and other miscellaneous revenue not belonging specifically to any other Department, and to suggest means for improving the collection of any revenue whether of the above mentioned kinds or not; to conduct correspondence relating to the expenditure of the Department of Finance especially in relation to the Public Debt, and to arrange for making such payments as are required in regular course from the Vote of the Department of Finance.

3. To watch generally in consultation with the Minister of Finance and Customs over the financial position of the Dominion; to have constantly under review the amounts received from all forms of taxation and other revenue and the course of expenditure; to see to the keeping of such accounts as will enable him to review not less often than monthly the position of the finances of the Dominion and to forecast revenue and expenditure; to bring forward proposals for economy or for increased or reduced taxation as may be necessary.

4. During the absence from the Dominion or the disability from illness of the Minister of Finance and Customs or during a vacancy in the office of Minister, to exercise the powers and perform the duties relating to the Department of Finance which belong to the Minister of Finance and Customs.



## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

CAP. XXVIII.

A.D. 1932.

AN ACT RESPECTING A BONUS ADDITION TO  
PENSIONS UNDER "THE WAR PENSIONS ACT,  
1922."

(Passed April 30, 1932)

SECTION 1.—Extension of payment of bonus additions to  
pensions.

*Be it Enacted by the Governor, the Legislative Council and  
House of Assembly, in Legislative Session convened, as  
follows:*

Extension of  
payment of  
bonus additions  
to pensions.

1. Anything to the contrary in the Act 12-13 George V.  
Chapter 20 and the Acts in amendment thereof notwith-  
standing, the bonus payments set forth in Schedules A and  
B to the said Act shall be paid to the thirtieth day of June,  
one thousand nine hundred and thirty-three.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGI V. REGIS.

CAP. XXIX.

AN ACT RESPECTING CERTAIN RETIRING  
ALLOWANCES.

A.D. 1932.

(Passed April 30, 1932.)

SECTION 1—Annual Allowances.

*Be it Enacted by the Governor, the Legislative Council and  
House of Assembly, in Legislative Session convened, as  
follows:*

1. The following annual allowances shall be made to  
the following persons during their lifetime, namely:

Annual  
Allowances.

Geo. Herald, Suff. Warehouse Keeper.....	\$ 491.83
W. J. Myler, Suff. Warehouse Keeper.....	465.95
P. Phelan, Locker .....	440.06

M. Breen, Tidewaiter .....	465.95
J. C. Carter, Asst. Examining Officer.....	792.00
Cyrus Warren, Locker .....	569.49
Arthur Corner, Collector of Customs.....	600.00
Enoch Fry, Attendant, Poor Asylum.....	304.00
Jas. Stewart, P. M., Corner Brook.....	77.00
John LeGrow, Attendant, Poor Asylum.....	548.93
Herbert Gosse, Storekeeper, Lighthouse Dept....	600.00
John Warren, Lightkeeper, Heart's Content.....	210.00
Samuel Butler, Chief Attendant, Insane Asylum.	1,158.90
Charles Mugford, Attendant, Insane Asylum....	520.80
Robert Barnes, Attendant, Insane Asylum.....	310.30
Geo. Banfield, Mail Courier, Bay L'Argent.....	135.00
W. Titford, Tidewaiter, Hr. Grace.....	486.00
Jordan Sheppard, Tidewaiter, Hr. Grace.....	207.90
A. E. Butler, Collector of Customs, Port Rexton	94.50
M. Knight, Tidewaiter, Curling.....	353.00
R. Hennebury, Sub-Collector, Lories.....	260.00
Charles Barrett, Collector, Old Perlican.....	168.75
A. J. St. Croix, Collector, St. Jacques.....	315.00
C. D. Bailey, Tidewaiter, Oderin.....	82.12
W. Smith, Collector, Springdale.....	315.00
A. J. Hoffe, Collector, Change Islands.....	401.54
M. Way, Collector, Hermitage.....	175.50
T. Foote, Tidewaiter, Grand Bank.....	245.70
I. Hillier, Tidewaiter, Fortune.....	243.00
G. F. Read, Collector, LaPoile.....	574.00
R. Reddy, Tidewaiter, Burin.....	479.43
E. T. Snow, Suff. Warehouse Keeper.....	310.60
S. Bradbury, Suff. Warehouse Keeper.....	415.00
Geo. Morris, Suff. Warehouse Keeper.....	776.58
Matthew Francis, Line Repairer, Hermitage....	423.54
A. Costello, Light Keeper, Ferryland Head....	540.00
J. J. Galway, Acct. and Cashier, Assessor's Dept.	1,188.00
R. T. McGrath, Inspector of Customs.....	1,600.00
T. P. Jackman, Chief Statistical Clerk.....	1,200.00
F. F. Berteau, Warehouse Keeper.....	1,200.00
Uriah Bursey, Locker, H. M. Customs.....	258.86
James McGrath, Suff. Warehouse Keeper.....	258.86
P. Flynn, Guager, H. M. Customs.....	292.50

F. Glynn, Tidewaiter.....	310.60
J. Goobie, Tidewaiter, H. M. Customs.....	258.86
Edmund Butt, Light Keeper, Western Bay..	666.00
W. G. Wilcox, Light Keeper, Brigus.....	352.00
A. C. Goodyear, Light Keeper, Penguin Island.	266.00
Roland Guy, Asst. Keeper, Penguin Island....	333.00
Henry Hutchings, Light Keeper, Cabbage Hr.	
Head .....	137.50
Joseph Jones, Light Keeper, Grassy Island.....	137.50
A. Lilly, Light Keeper, Lower Sandy Pt.....	152.50
James A. Toop, Light Keeper, Ragged Island...	250.00
Wm. Flynn, Light Keeper, Long Island.....	378.00
Thos. Starkes, Light Keeper, Nipper's Hr.....	572.00
John Wilcott, Light Keeper, Brunette.....	150.00
John Riggs, Light Keeper, Long Hr. Pt.....	190.00
M. C. Messervey, Light Keeper, Sandy Pt.....	416.00
Columbus Hynes, Light Keeper, Long Pt.....	230.00
W. P. Carter, Light Keeper, Pass Island.....	344.25
John Kielly, Light Keeper, Long Island.....	100.00
Philip Batterton, Light Keeper, King's Cove....	566.00
Charles Chaffey, Light Keeper, Ramea .....	228.00
Michael Bambrick, West End Road Inspector...	684.00
Jas. Parsons, East End Road Inspector.....	989.82
Geo. H. Badcock, Chief Clerk Dept. Marine and	
Fisheries .....	1,370.25
Jas. Ryan, Accountant.....	850.00
Wm. Kearney, Messenger.....	376.00
May O'Mara, Typist.....	594.00
Thos. Howe, Chief Woods Ranger.....	1,082.00
D. Thistle, Insp. Timber Limits.....	775.00
Jas. Croke, Insp. Rolling Stock.....	744.48
J. S. Keating, Dep. Minister of Customs....	2,835.00
A. S. Pittman, Tidewaiter Customs.....	185.40
Capt. M. T. Kehoe, Tidewaiter Customs....	358.02
Mrs. Wilson Vardy, wife Lightkeeper, Port	
aux Basques .....	120.00
R. D. Walsh, Operator, Bell Island.....	810.00
Miss M. Coonan, Postmistress .....	243.00
P. F. Mansfield, Asst. Crier & Tipstaff.....	247.50
W. Molloy, Carpenter .....	626.53

Mrs. Julia S. Earle, Engrossing Clerk.....	303.75
J. R. Courage, Magistrate, Belleoram.....	526.50
Edward Collins, Gaoler, Placentia.....	282.15
Jas. Bailey, Fireman .....	311.85
Philip O'Keefe, Carpenter .....	840.00
J. T. Halfyard, Carpenter.....	343.10
S. A. Churchill, Supt. Public Works.....	2,043.00
John Gibbs, Customs Examiner.....	945.00
M. F. Aylward, Inspector (Postal).....	1,485.00
John H. Clarke, Overseer (Postal) .....	1,215.00
Geo. J. Veitch, Supt. (Telegraphs).....	1,620.00
Philip Moore, Senior Clerk, Registration (Postal) .....	1,080.00
Andrew Goobie, Assorter .....	750.00
J. J. McGrath, P.M., Argentia.....	300.03
A. R. Roberts, P.M., Bonne Bay.....	607.50
Mrs. Emma C. Hiscock, P.M., Trinity.....	317.80
P. J. McEvoy, Operator, St. Jacques.....	776.25
M. P. Smart, Operator, Port aux Basques....	877.50
John Gibbons, Operator, Prowseton.....	396.90
John Hannon, Operator, Holyrood.....	534.60
Sarah Way, P.M., Flower's Cove.....	81.00
Alfred Bartlett, P.M., Coomb's Cove.....	29.95
Edgar Penney, Line Repairer, Badger.....	423.54
James Pike, Operator, Crabbe's.....	486.00
Thos. Burton, P.M., Bay de L'Eau.....	55.44
Mrs. M. Hillier, P.M., Brunette.....	17.19
Mrs. J. Whelan, P.M., Caplin Cove, Random	12.07
Joseph Eveleigh, P.M., Comfort Cove.....	36.04
Elizabeth Bowles, P.M., Coppitt.....	10.42
Bridget Duff, P.M., Freshwater Road.....	19.66
Mrs. John Warren, P.M., Gaulton's Island..	20.47
C. Myles, P.M., Grand Bruit.....	34.40
William J. Doyle, P.M., Gull Island, B.D.V..	31.60
George Butt, P.M., Heatherton.....	17.19
A. C. Greenham, P.M., Horse Islands.....	12.62
John Cooper, P.M., Inglewood.....	10.42
Jacob Chislett, P.M., Islington.....	10.97
Susannah White, P.M., Jersey Harbour.....	32.90

Michael Foley, P.M., Little Barrisway.....	10.97
Eli Strickland, P.M., Little Bay, H.B.....	18.02
Thos. White, P.M., Long Cove, T.B. ....	16.20
Hattie Collier, P.M., Otter's Point.....	17.19
Clara M. Foley, P.M., Renew's, S.S. ....	54.84
Jane Ball, P.M., Rencontre, H.B. ....	47.39
Bertha M. Young, P.M., St. Jacques.....	131.63
Mrs. Ambrose Pope, P.M., Stone's Cove....	17.19
Mrs. Charles Vincent, P.M., Cape Island, B.B.	17.19
Mrs. E. Quinton, P.M., Redcliffe Island....	13.16
John Matchim, P.M., Sandy Cove, B.B. ....	11.52
May Piercey, P.M., Irishtown, B. of I. ....	21.94
Mrs. Thos. Hynes, P.M., Wood's Island Hr...	17.19
Isaac Bartlett, P.M., Noddy Bay.....	17.84
Thos. Pilgrim, P.M., St. Anthony Bight.....	11.52
John Legge, Mail Clerk, Heart's Content....	344.25
James Roil, First Bailiff, Supreme Court.....	889.31
M. Gould, P.M., Petries.....	97.90
Mrs. Hannah Kelly .....	715.00

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\$58,852.14



## NEWFOUNDLAND.



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS

CAP. XXX.

## AN ACT IN RELATION TO THE TEMPORARY REDUCTION OF CIVIL SERVICE PENSIONS.

A.D. 1932.

(Passed April 30, 1932).

## SECTION

- 1.—Reduction annual pensions.
- 2.—Exemptions.

## SECTION

- 3.—Date of effect.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

Reductions  
Annual  
Pensions.

1. All pensions granted to persons formerly in the Public Service payable by virtue of any statute, including the Retiring Allowances Act of the present session, and all pensions which shall be granted between the closing of the present session of the Legislature and the date of expiry of

this Act, shall be paid subject to reduction in accordance with the following scale:—

- (1) Pensions of \$100.00 per annum or less shall be paid in full.
- (2) Pensions of more than \$100.00 per annum and not more than \$200.00 per annum shall be paid less a reduction of ten per centum, provided that no such pension shall thereby be reduced below \$100.00 per annum.
- (3) Pensions of more than \$200.00 per annum and not more than \$300.00 per annum shall be paid less a deduction of twenty per centum, provided that no such pension shall thereby be reduced below \$180.00 per annum.
- (4) Pensions of more than \$300.00 per annum and not more than \$500.00 per annum shall be paid less a deduction of twenty-five per centum, provided that no such pension shall thereby be reduced below \$240.00 per annum.
- (5) Pensions of more than \$500.00 per annum and not more than \$1,000.00 per annum shall be paid less a deduction of thirty per centum, provided that no such pension shall thereby be reduced below \$375.00 per annum.
- (6) Pensions of more than \$1,000.00 per annum shall be paid less a deduction of thirty-five per centum, provided that no such pension shall thereby be reduced below \$700.00 per annum.

2. Nothing herein shall apply to pensions to former <sup>Exemptions.</sup> members of the Constabulary and Fire Departments.

3. This Act shall have effect as from the first day of July, A.D., 1932, and until the 30th day of June, A.D., <sup>Date of effect.</sup> 1934.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

CAP. XXXI.

A.D. 1932.

AN ACT IN RELATION TO A TEMPORARY REDUC-  
TION IN THE SALARIES OF CERTAIN PERSONS  
IN THE PUBLIC SERVICE."

(Passed April 30, 1932)

## SECTION

1.—Reduction of certain salar-  
ies for the fiscal year

## SECTION

1932-33.  
2.—Scale of Reduction.

*Be it Enacted by the Governor, the Legislative Council and  
House of Assembly, in Legislative Session convened, as  
follows:*

Reduction of  
certain salaries  
for the fiscal  
year 1932-33.

1. All salaries payable to persons in the Service of the  
Dominion, whether payable under the Public Service Act,  
1932, or by virtue of any other Statute, excepting always

the salaries of His Excellency the Governor, and of the Judges of the Supreme Court, and of the District Courts, and excepting also the salaries of Ministers of the Crown, including the Solicitor General, which latter have already been reduced by twenty to twenty-five per centum, shall be deemed for the fiscal year 1932-33 to be reduced in accordance with the provisions hereinafter set forth, and shall during the said fiscal year be paid accordingly, anything in any Statute to the contrary notwithstanding.

2. The scale of reduction shall be as follows:—

Scale of  
Reduction.

- (1) Salaries of or exceeding \$3,000.00 shall stand reduced by seven and one-half dollars per centum, provided that such reduction shall not in any case bring the salary so reduced below \$3,000.00.
- (2) Salaries of from \$1,500.00 to \$2,999.00 shall stand reduced by five dollars per centum; provided that such reduction shall not in any case bring the salary so reduced below \$1,500.00.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGI V. REGIS.

CAP. XXXII.

A.D. 1932.

AN ACT IN RELATION TO THE RAISING OF A  
LOAN ON THE CREDIT OF THE DOMINION  
FOR CERTAIN PUBLIC PURPOSES AND IN RE-  
LATION TO THE RAISING OF MONEY FOR THE  
SERVICE OF THE SAID LOAN AND IN RELA-  
TION TO THE ISSUE OF SAVINGS CERTIFI-  
CATES.

(Passed April 30, 1932).

## SECTION

- 1.—Governor in Council may raise loan of \$2,500,000.
- 2.—Application of proceeds of loan.
- 3.—Provision for interest and Sinking Fund.
- 4.—Interest and Sinking Fund to be first charge on Petroleum Products Fund.

## SECTION

- 5.—Powers of Governor in Council: Sale price 4 bonds.
- 6.—Bonds to be exempt from taxes.
- 7.—Part of loan may be raised in sterling.
- 8.—Application of (Imperial) Colonial Stock Acts, 1877-1900.

## SECTION

- 9.—Governor in Council may enter into Agreement with Imperial Oil Ltd.: Provisions of Agreement.
- 10.—Provisions for variation of Agreement in certain circumstances.
- 11.—Agreement to have force of law.
- 12.—Notice of execution of Agreement.
- 13.—Prohibition of import of petroleum products, except by Imperial Oil Ltd.
- 14.—Temporary Duty on Petroleum Products.

## SECTION

- 15.—Petroleum Products Fund
- 16.—Trustees of Fund.
- 17.—Interest and Sinking Fund of loan to be first charge on Fund.
- 18.—Disposition of balance of fund.
- 19.—Protection of Great Eastern Oil Co. Ltd.
- 20.—Savings Certificates.
- 21.—Encashment of certificates: Scale of rates.
- 22.—Disposition of proceeds of certificates.
- 23.—Regulations.
- 24.—Short Title.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

1. The Governor in Council shall have power to raise upon the credit of the Dominion a Loan not exceeding the sum of two million five hundred thousand dollars (\$2,500,000), which sum together with interest thereon at a coupon rate not exceeding five and one-half per centum per annum payable half yearly on the last days of June and December in each year, shall be chargeable upon and repayable out of the funds of the Dominion on or at any time before the 30th day of June, 1947, and without prejudice to the generality of the foregoing shall be chargeable specifically upon the Petroleum Products Fund as hereinafter referred to. The word dollars in these resolutions shall mean dollars in lawful currency of the Dominion of Canada or its equivalent.

2. The proceeds of the said Loan shall be applied to the following purposes in the following order of priority:

(a) Firstly, to the cost of raising the Loan.

(b) Secondly, to the payment of such sum as may be necessary to supplement the moneys standing to the credit of the Consolidated Revenue Fund in order to meet the interest payable on the Public Debt on the 30th June and 1st July, 1932.

Governor in Council may raise loan of \$2,500,000.

Application of proceeds of loan.



- (c) Thirdly, to the payment of the sums due and to fall due in respect of the building and equipment of the Memorial College extension and the repayment of any sums which may have been advanced from the Consolidated Revenue Fund for that purpose.
- (d) Fourthly, to the purchase in the open market of any stock or bonds of the Newfoundland Government bearing interest at a rate not less than five per centum per annum. Any stock or bonds so purchased shall be forthwith cancelled.

Provision for  
interest and  
Sinking Fund.

3. There shall be set aside in each fiscal year commencing with the fiscal year 1932-33, in order to provide the interest and the Sinking Fund of the Loan, a sum of not less than two hundred and fifty thousand dollars (\$250,000.00), and these sums shall be deposited in a special account at the Royal Bank of Canada and the sums so accumulated together with the interest thereon shall be used for the following purposes and for no other, namely:

- (a) There shall be paid out of such special account the interest on the Loan as the same shall come due from time to time.
- (b) The balance remaining in the said account at the end of each fiscal year after payment of the said interest shall form a Sinking Fund, and shall be utilized either for the purpose of redeeming at their par value and accrued interest stock or bonds of the Loan or for the purpose of purchasing such stock or bonds on the open market. Where stock or bonds are redeemed or are to be redeemed the particular numbers shall be determined by the drawing by lot from among the numbers of all the bonds of the Loan outstanding at the time of such drawings. Any stock or bonds so redeemed or purchased shall be forthwith cancelled.

4. The interest and Sinking Fund of the Loan shall be a first charge upon the Petroleum Products Fund to be created under the provisions of this Act.

Interest and  
Sinking Fund  
to be first  
charge on  
Petroleum  
Products Fund.

5. (1) The Governor in Council shall have and exercise all such powers as may be necessary or proper for conducting all business connected with:

Powers of  
Governor in  
Council: Sale  
price 4 bonds.

(a) The raising of said Loan, including the fixing of the price and terms of the securities therefor, which may be in such form and executed in such manner and by such person or persons as the Governor in Council may determine: Provided that the signatures of any or all of the persons to execute the securities may be lithographed or otherwise mechanically reproduced if so ordered by the Governor in Council; and such signatures shall have effect as if personally written;

(b) The management of such securities and the payment of dividends of interest thereon;

(c) The making of proper provision for the repayment of the said Loan in accordance with the laws of any country or countries in which the said Loan or any part thereof may be raised.

(d) The conduct of drawings by lot to determine the numbers of the bonds to be redeemed at the end of each fiscal year.

(2) Any securities authorized pursuant to this Act may be sold by the Governor in Council for such sum, whether the same is the par value or less or more than the par value thereof, as the Governor in Council may determine.

6. The obligations represented by securities of the Dominion, issued in accordance with this Act, and all payments in discharge thereof shall be exempt from all present

Bonds to be  
exempt from  
taxes.

and future taxes imposed by the Legislature, including any Newfoundland Income Tax, and the payment of interest and principal thereof, including payments to the Sinking Fund therefor, shall be made in time of war as well as of peace.

Part of loan  
may be raised  
in sterling.

7. For the purpose of carrying out the provisions of this Act the Governor in Council shall have power to raise instead of any part of the above mentioned sum in dollars, an equivalent amount in sterling money of Great Britain, calculated at the rate of exchange of four dollars to the pound sterling.

Application of  
(Imperial) Col-  
onial Stock  
Acts, 1877-1900.

8. In the event of any part of the Loan being raised in Great Britain, the said Loan shall be raised by the issue of bonds or stock in accordance with the Acts of Parliament of the United Kingdom entitled "The Colonial Stock Acts, 1877 to 1900," and the Governor in Council shall, under the Seal of the Dominion, authorize some person in the United Kingdom to make the declaration respecting such bonds or stock required by the first Section of the Colonial Stock Act, 1877.

Governor in  
Council may  
enter into  
Agreement  
with Imperial  
Oil Ltd.:  
Provisions of  
Agreement.

9. It shall be lawful for the Governor in Council to enter into an Agreement with Imperial Oil, Limited, a Company incorporated in the Dominion of Canada, and having its Head Office at Sarnia, Ontario (hereinafter called "The Company") which shall contain provisions, *inter alia*, to the following general effect:

- (1) The Company shall agree to underwrite the issue of bonds in dollars of the Loan authorized by this Act to the extent of \$1,750,000 at a price of not less than \$97.00 for each \$100.00 of the face value of the said bonds.
- (2) The Company shall further agree to pay to the Government annually during the currency of the Loan hereby authorized the sum of \$300,000 in equal monthly payments in consideration of

the exclusive right hereinafter referred to to import into and/or manufacture and/or place on the market in this Dominion products of petroleum.

Provided that if and whenever in any year a sum equal to eight dollars for each complete hundred gallons of the Company's combined sales of gasoline and kerosene and fifteen dollars for each complete hundred gallons of lubricating oil and four dollars for each complete hundred gallons of other petroleum products, other than medicinal products, sold by the Company in the Dominion exceeds the said sum of three hundred thousand dollars the Company shall pay such excess to the Government.

- (3) (a) The Company shall further agree to import into and sell in Newfoundland such quantities of each and all of the said products of the same qualities and grades as shall from time to time be commonly and currently on sale by the Company in the Dominion of Canada as shall be sufficient continuously to satisfy the whole public demand for the same, and in default of the Company's so doing the Governor in Council shall have the right to arrange for the importation and sale of such quantity of each or any of the same as may be sufficient to supply the estimated deficiency. Any products so imported shall be subject to the same terms as to sale price, royalty and/or tax as the products imported and/or manufactured and/or marketed by the Company.
- (b) The Company shall undertake to provide a good and efficient service and the agreement shall make provision that if a complaint be made by a customer of the Company that there has been a substantial fail-

ure to carry out this undertaking, the matter shall be submitted to the arbitration of three arbitrators to be appointed *mutatis mutandis* in the manner prescribed by sub-section 8 of this section, and the arbitrators or any two of them shall have power to award damages for any proved or substantial injury done to the complainant. Costs in any event shall be in the discretion of the arbitrators.

(4) In any case in which the right of importation conferred by this Section is exercised by the Government it shall be open to either party to declare that a dispute has arisen out of the operation of the Agreement and such dispute shall be referred to arbitration under sub-section 8 of clause 9 of this section. The Arbitrators shall determine whether the exercise of such right is, in the circumstances, reasonable or unreasonable, if reasonable they shall award to the Government, and if unreasonable they shall award to the Company, fair compensation for any loss or damage which the Government or the Company, as the case may be, may have sustained by reason of the exercise of such right.

(5) (a) The Company shall further agree to sell White Motor 65 Octane Number Gasolene and W W 150 Test Kerosene in the city of St. John's in bulk without containers to wholesale dealers for immediate cash at a price not exceeding twenty-four cents per Imperial gallon in the case of either gasolene or kerosene, which is in part based on a cost of eight cents per gallon of gasolene and kerosene c.i.f. St. John's. Provision to be made in the said Agreement for the increase or decrease of the said price in accordance with the increase or decrease of

the market price of mid-continental crude oil as compared with the price on 26th April, 1932.

- (b) The wholesale prices for immediate cash of the various other Petroleum Products shall be determined by agreement between the Governor in Council and the Company and such agreement shall contain provision for a sliding scale of prices varying according to the variation of the corresponding prices of such products in the city of Halifax, Nova Scotia.
- (c) All existing customs duties on Petroleum Products shall stand repealed as and from the date when this agreement shall begin to operate and the company shall receive a credit of the duties then already paid by it on any duty paid petroleum products then on hand in the Dominion.
- (d) Provided that the Company may increase the said prices by the amount of any customs duties that may be imposed by the Dominion on Petroleum Products, and by the amount of any tax that may be imposed which affects the Company without affecting other companies transacting business in the Dominion.
- (6) Nothing herein shall be deemed to affect the importation of medicinal products of petroleum.
- (7) In consideration of the foregoing the Governor in Council shall grant to the Company the sole and exclusive right to import, manufacture and place on the market products, other than medicinal products, of petroleum into or in Newfoundland and its Dependencies, so long as any portion of the Loan remains outstanding.



- (8) The Agreement shall provide that all disputes between the Governor in Council and the Company arising out of the operation of the said agreement shall be referred to the arbitration of three arbitrators, one to be named by each of the parties and the third to be named by the first two arbitrators or in default of their agreement by the Supreme Court or a Judge thereof, and that the award and decision of any two of the said arbitrators shall be binding and that the provisions of the Judicature Act relating to arbitration shall apply to all submissions to arbitration under this Agreement as if Section 212 thereof had not been enacted.
- (9) The Agreement shall apply to the Company and/or the Assigns and/or Successors of the Company.
- (10) The said Agreement may contain such other terms and conditions not inconsistent with the provisions hereof as the Governor in Council shall determine.

Provisions for  
variation of  
Agreement in  
certain circum-  
stances.

10. The true intent of the Agreement to be entered into under this Act whereby the Company is to have the exclusive right of the importation and manufacture and placing on the market in Newfoundland of Petroleum Products whereof gasolene and kerosene are at the present time the most important, is hereby declared to be to secure to the Government a reasonable royalty in respect of the exclusive right so granted and to provide a fair margin of profit to the Company taking one year with another and having regard to the present and prospective demand for Petroleum Products. If, however, during the currency of the Agreement it shall at any time or from time to time appear to either or both of the parties that for technical or mechanical or other similar reasons there has occurred substantial substitution of one species of petroleum product for another to an extent which

causes this Agreement to fail of its intended purpose, then and in such case either party may require the matter to be submitted to arbitration in the manner provided by Section 9 (8) of this Act and the Agreement shall be modified in such manner as may be determined by the arbitrators.

11. Upon the said Agreement being executed all the provisions thereof not inconsistent with this Act shall have the force of law as if embodied in this Act.

12. Upon the execution of the Agreement provided for in the foregoing Section the Governor in Council shall forthwith give notice of the date of such execution in the Newfoundland Gazette and the said Agreement shall begin to operate on a day to be fixed by such notice, not earlier than the 31st day after the execution of such agreement.

13. (a) From and after the day so fixed it shall be unlawful for any person other than Imperial Oil, Limited, its Successors and Assigns, to import products other than medicinal products of Petroleum into Newfoundland under a penalty not exceeding for each offence fifty dollars or the value of the petroleum product so imported whichever may be the greater, and such penalty may be recovered summarily before a Stipendiary Magistrate upon the suit of any person. Any petroleum product imported contrary to this Section may be seized on view by any Constable or Officer of the Customs and shall be declared forfeited to His Majesty by any Court before which the importer of the said product shall be convicted.

(b) The Government shall undertake at all times to use its best endeavours to prevent the unlawful importation of Petroleum Products.

14. From and after the passing of this Act and until the said agreement shall begin to operate or until July 1st, 1932, whichever date may be the earlier, there shall be levied and collected customs duties upon Petroleum Pro-

ducts imported into the Dominion at rates equal to the royalties provided for by Clause nine, Sub-clause two of this Act.

Petroleum  
Products Fund.

15. The sums to be paid to the Government by Imperial Oil Limited, its Successors or Assigns under the Agreement to be executed in pursuance of this Act shall forthwith be deposited in a special fund to be established at the Royal Bank of Canada and to be known as "The Petroleum Products Fund."

Trustees of  
Fund.

16. The said fund shall be vested in three Trustees, to be agreed between the Governor in Council and the Company, and shall be administered by them in such manner as is directed by this Act.

Interest and  
Sinking Fund  
of loan to be  
first charge on  
Fund.

17. The interest and Sinking Fund of the Loan to be raised under this Act shall be a first charge upon all moneys which in any fiscal year shall come into the hands of the Trustees of the Petroleum Products Fund.

Disposition of  
balance of fund

18. The Trustees may in their discretion pay over at any time to the Consolidated Revenue Fund the whole or any part of the balance remaining in the Petroleum Products Fund after meeting the first charge upon the same; provided, however, that no such payment shall be made unless the Trustees are satisfied that the sums available or to become available in the Fund are or will beyond reasonable doubt be adequate to provide for the interest and Sinking Fund of the said Loan.

Protection of  
Great Eastern  
Oil Co. Ltd.

19. If at the expiration of two years from the commencement of operation of the agreement authorised by this Act to be made it is shown to the satisfaction of the Controller of the Treasury that the average *bona fide* profits of the Great Eastern Oil Company Limited for the said period of two years have owing to the grant of the exclusive right conferred upon Imperial Oil Limited and not through causes unconnected with the grant of such exclusive right fallen short of the average *bona fide* annual

profits earned by the said Great Eastern Oil Company Limited during the two years preceding the commencement of the said agreement, the Government shall pay to the Great Eastern Oil Company Limited the amount of such deficiency, and so likewise from year to year during the continuance of the exclusive right. For the purposes of this Section the Controller of the Treasury or any auditors appointed by him shall have full access to all the accounts, books and records of the said Company, and shall be entitled to put to the officials of the said Company all such questions as he shall think proper, upon oath, which he is hereby authorized to administer. If the said Company shall be dissatisfied with the finding of the Controller it may appeal by petition to the Supreme Court, whose decision shall be final.

20. Apart from and in addition to the Loan of \$2,500,000 hereby authorized it shall be lawful for the Gov.<sup>Savings</sup> <sup>Certificates.</sup> to provide for the issue of Certificates of the denomination of five dollars each, to be known as "Savings Certificates" entitling the holder to the payment by the Government five years from the date of issue of the Certificate of the sum of five dollars. The price of such certificate shall be four dollars.

21. The holder of any Certificate shall have the <sup>Encashment of</sup> <sup>certificates:</sup> right to cash such Certificate at any time and on encash- <sup>Scale of rates.</sup> ment he shall be paid a sum based on the following scale:

If the certificate is cashed within a period of one year after the date of issue.....	\$4.00
If the certificate is cashed after a period of one year but less than two years.....	4.15
If the certificate is cashed after a period of two years but less than three years.....	4.30
If the certificate is cashed after a period of three years but less than four years.....	4.50
If the certificate is cashed after a period of four years but less than five years.....	4.75

Disposition of  
proceeds of  
certificates.

22. The proceeds arising from the issue and sale of Savings Certificates shall be utilized as to two-fifths for the purpose of creating a Reserve Fund towards meeting the cost of encashment of Savings Certificates, and as to the balance for investment in the stock or bonds of the Loan authorized by this Act, or, if the Governor in Council so direct, for the purchase in the open market of other stock or bonds of the Newfoundland Government bearing interest at a rate not exceeding five per centum per annum. The Reserve Fund and any stock or bonds so acquired shall be vested in Trustees to be held as security for the due repayment of the said Savings Certificates. The Trustees shall be the Controller of the Treasury, the Deputy Minister of Customs and the Registrar of the Supreme Court.

Regulations.

23. The Governor in Council may make regulations prescribing the form of the Certificates, the place or places at which such Certificates may be issued and the place or places at which such Certificates may be presented for encashment.

Short Title.

24. This Act may be cited as "The Loan Act, 1932."

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

# GEORGH V. REGIS.

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CAP. XXXIII.

AN ACT IN RELATION TO THE AMENDMENT OF A.D. 1932.  
THE LOAN ACTS OF 1898, 1927, 1928, AND 1929.

(Passed April 30, 1932.)

SECTION

1.—Transfer of certain unex-  
pended loan balances to

SECTION

deficit 1930-31.  
Schedule.

WHEREAS under the Act 61 Victoria Cap. 10, and the Act 18 George V., Cap. 18, (as amended by 21, George V., Cap. 4), and the Act 19 George V., Cap. 18, (as amended by 21 George V., Cap. 2), and the Act 20 George V., Cap. 31, the sums set forth in the second column of the Schedule hereto, or larger sums out of which the sums set forth in the second column remain unexpended, were appropriated to the purposes set forth in the third column of the said Schedule.



AND WHEREAS the said sums set forth in the second column of the Schedule are not now required for the purposes for which they were originally appropriated.

AND WHEREAS it is expedient to make the said sums available for the general purposes of the Dominion.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:*

Transfer of  
certain unex-  
pended loan  
balances to  
deficit 1930-31.

1. The several sums set forth in the second column of the Schedule hereto, which under the Acts mentioned in the first column of the said Schedule were appropriated to the purposes set forth in the third column of the said Schedule, are hereby appropriated to cover the general deficit on the Exchequer Account of the Dominion for the year 1930-31; and the said Acts mentioned in the first column of the said Schedule shall stand amended accordingly.

Schedule.

#### SCHEDULE.

<i>The Act making the appropriation</i>	<i>Amount, or re- mainder of amt. appropriated</i>	<i>Purposes for which amount appropriated</i>
61 Vic., Cap. 1 <sup>a</sup>	\$10,000.00	To a new Market House at St. John's.
18 Geo. V., Cap. 18 as amended by 21 Geo. V., Cap. 4	\$160.11	Sleeping Cars and Din- ers (Nfld. Railway).
18 Geo. V., Cap. 18 as amended by 21 Geo. V., Cap. 4	5,000.00	Gravity Water Service, Millertown Junction, (Nfld. Railway).
18 Geo. V., Cap. 18 as amended by 21 Geo. V., Cap. 4	1,748.30	Masonry for new bridges (Nfld. Railway).

18 Geo. V., Cap. 18 as amended by 21 Geo. V., Cap. 4	3,238.31	New Sidings(Nfld. Rail- way).
18 Geo. V., Cap. 18 as amended by 21 Geo. V., Cap. 4	450.00	Freight Shed Extension at Spaniard's Bay (Nfld. Railway).
18 Geo. V., Cap. 18 as amended by 21 Geo. V., Cap. 4	2,118.80	alance on two new loco- motives (Nfld. Rail- way).
	<hr/> \$12,715.52 <hr/>	
19 Geo. V., Cap. 18 as amended by 21 Geo. V., Cap. 2	\$62,500.00	Nfld. Railway; 25 Box Cars.
19 Geo. V., Cap. 18 as amended by 21 Geo. V., Cap. 2	83,000.00	Nfld. Railway; general purposes or as may be directed by the Gov- ernor in Council.
	<hr/> \$145,500.00 <hr/>	
20 Geo. V., Cap. 31	\$8,970.12	Telegraph and Tele- phone services.
20 Geo. V., Cap. 31	82,643.88	The development of the Cod and other Fisher- ies of the Colony.
20 Geo. V., Cap. 31	46,016.63	The construction and improvement of public works, roads and ma- rine services.
	<hr/> \$157,630.63 <hr/>	

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

CAP, XXXIV.

A.D. 1932.

AN ACT TO AMEND CHAPTER 27 OF THE CONSOLIDATED STATUTES, THIRD SERIES, ENTITLED  
“ OF DEATH DUTIES.”

(Passed April 30, 1932).

## SECTION

- 1.—Amendment of Sec. 3 Cap.  
27 C.S.
- 2.—Amendment of Sec. 6.

## SECTION

- 3.—Amendment of Sec. 7.
- 4.—Amendment of Sec. 10.
- 5.—Amendment of Sec. 11.

*Be it Enacted by the Governor, the Legislative Council and  
House of Assembly, in Legislative Session convened, as  
follows:*

Amendment of  
Sec. 3 Cap. 27  
C.S.

1. Section 3 of Chapter 27 of the Consolidated Statutes, Third Series, is hereby amended by striking out

the words "Minister of Finance & Customs" wherever they occur in sub-sections (b) and (c) thereof and substituting the word "Controller of the Treasury."

2. Section 6 of the said Chapter is hereby amended <sup>Amendment of Sec. 6.</sup> by striking out the words "Minister of Finance & Customs" and "Minister" and substituting the words "Controller of the Treasury."

3. Section 7 of the said Chapter is hereby amended <sup>Amendment of Sec. 7.</sup>

(1) By striking out the words "said Minister" in the 5th line and substituting the word "Controller."

(2) By renumbering the said Section 7 as 7 (1) and adding thereto the following sub-sections:

(2) In any case where in the opinion of the Controller of the Treasury the estate is such that its true value for death duty cannot be accurately ascertained at the time of application, the Controller may require the applicant to furnish such affidavits, accounts and inventories as he may direct showing the value of the estate, as far as it can at that time be ascertained, and shall calculate the amount of death duty apparently due thereon, with an allowance for any increase in such value which in his opinion may possibly or probably appear on a more complete valuation.

(3) The applicant shall thereupon at the option of the Controller either pay to the Minister of Finance and Customs the duties due and give security covering the allowance in the preceding sub-section mentioned or give

security, as hereinbefore provided, for double the amount of the duties due, together with the allowance hereinbefore mentioned and for interest; and such bond shall be for such period as the Controller may deem necessary for the ascertainment of the true value of the estate, and may be extended as in sub-section (1) provided.

- (4) Upon such payment or the giving of such security the Controller may issue a provisional certificate upon which Letters of Probate or Administration may be granted by the Supreme Court under Section 10 hereof, and upon production by the Executor or Administrator within the time appointed by the bond of complete affidavits, accounts and inventories satisfactory to the Controller and upon payment of any further duty found thereon to be due with interest as aforesaid the Controller may grant a final certificate. If upon final accounting it appears that the true duty due is less than that provisionally paid, the difference shall be refunded to the Executor or Administrator.
- (5) Appeal to the Supreme Court under Section 9 hereof shall lie from the final certificate but not from the provisional certificate. If the applicant shall fail to produce satisfactory final affidavits, accounts and inventories within the time appointed, the Controller may assess the estate for death duty at such value as he may deem proper and death duties shall be payable on the value as so fixed by him.

4. Section 10 of the said Chapter, as amended by the <sup>Amendment of</sup> Act 11 George V, Cap. 53, is hereby amended by striking <sup>Sec. 10.</sup> out the words "Minister of Finance & Customs" wherever they occur and substituting the words "Controller of the Treasury."

5. Section 11 of the said Chapter is hereby amended <sup>Amendment of</sup> by striking out the word "Minister" and substituting <sup>Sec. 11.</sup> the word "Controller."



## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

## GEORGII V. REGIS

*Cap. XXXV.*

A.D. 1932.

AN ACT IN RELATION TO THE AMENDMENT OF  
CHAPTER 28 OF THE CONSOLIDATED STAT-  
UTES (THIRD SERIES) ENTITLED "OF STAMP  
DUTIES."

(Passed April 30th, 1932)

## SECTION

1.—Amendment to Schedule to  
Cap. 28, C.S., 1916.

## SECTION

2.—Short Title.

*Be it Enacted by the Governor, the Legislative Council and  
House of Assembly, in Legislative Session convened, as  
follows:*

Amendment to  
Schedule to  
Cap. 28, C.S.,  
1916.

1. The Schedule to Chapter 28 of the Consolidated  
Statutes (Third Series) entitled "Of Stamp Duties" as re-

enacted with amendments by the Act 20 George V., Chapter 33, is hereby amended by striking out the words:

Cheques on a Banker . . . . . 2c.

and substituting therefor the words:

Cheques on a Banker for any sum less  
than \$100.00 . . . . . 3c.

Cheques on a Banker for any sum of  
\$100.00 or more . . . . . 5c.

2. This Act shall be read in conjunction with the said <sup>Short Title.</sup> Chapter 28, with the Act 8-9 George V., Chapter 32, and with the Act 12-13 George V., Chapter 21, and with the Act 20 George V., Chapter 33, and the five together may be cited as "The Stamp Duties Acts, 1914-1932."

Enacted

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS,

CAP. XXXVI.

A.D. 1932.

AN ACT TO AMEND THE ACT 20 GEORGE V., CHAPTER 36 ENTITLED "THE INCOME TAX ACT, 1929," AND AMENDING ACTS.

(Passed April 30, 1932.)

## SECTION

- 1.—Amendment of Sec. 2 (2)  
(j) of 20 Geo. V. Cap. 36.
- 2.—Amendment of Sec. 4 (1).
- 4.—Amendment of Section 4 (2).
- 4.—Amendment of Section 4 (3).
- 5.—Addition to Section 4.
- 6.—Addition to Section 4.
- 7.—Amendment of Section 5 (a).

## SECTION

- 8.—Repeal of Section 6.
- 9.—Repeal of Section 8 (4).
- 10.—Amendment of Section 8 (8).
- 11.—Amendment of Section 19
- 12.—Repeal of Sec. 4 of 21 Geo. V. Cap. 24.
- 13.—Dates from which amendments are effective.
- 14.—Short Title.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

1. Sub-section (2) of Section 2 of the Act 20 George V., Chapter 36 is hereby amended by striking out of the <sup>Amendment of</sup> proviso to Paragraph (j) the words "eight per centum" <sup>Sec. 2 (2)</sup> <sub>(j)</sub> of 20 G.V. and substituting therefor the words "twelve per centum" <sup>V. Cap. 36.</sup>

2. (1) Sub-section (1) of Section 4 of the said Act is hereby amended by striking out Paragraph (a) <sup>Amendment of</sup> <sub>Sec. 4 (1).</sub> thereof and substituting therefor the following:

(a) A normal tax of 6 per centum upon all incomes exceeding \$1,000.00 but not exceeding \$6,000.00 in the case of unmarried persons, widows, and widowers without dependent children; and exceeding \$2,000.00 and not exceeding \$6,000.00 in the case of all other persons; and 12 per centum upon all incomes exceeding \$6,000.00; and in addition thereto a Supertax equal to the sum of the following:

(2) The said sub-section is further amended by adding at the end thereof after Paragraph (i) the words "For the purpose of this sub-section the income of a married woman living with her husband shall be deemed to be the income of her husband."

3. Sub-section (2) of Section 4 of the said Act is <sup>Amendment of</sup> <sub>Section 4 (2)</sub> hereby amended by striking out the words "shall pay eight per centum on income exceeding \$5,000.00," and by substituting therefor the words "shall pay twelve per centum upon their total income."

4. Sub-section (3) of Section 4 of the said Act is hereby <sup>Amendment of</sup> <sub>Section 4 (3)</sub> amended by striking out the words "in lieu of all other

taxes under this Act, a tax of five per centum per annum," and substituting therefor the words "in lieu of all other taxes under this Act, a tax of six per centum per annum."

Addition to  
Section 4.

5. Section 4 of the said Act is hereby further amended by adding after sub-section (3) a new sub-section (3) (b) as follows:

- (b) Every Company accepting premiums of Life Insurance within the Dominion, whether such Company maintains an office or has an Agent in Newfoundland or not, shall pay, in lieu of all other taxes under this Act, a tax of 2 per centum per annum to be computed on the gross amount actually received by the said Company for such premium as aforesaid during the calendar year, less the cash value of dividends to policy holders.

The accounting periods under this sub-section shall be from the 1st January, 1932, until 31st December, 1932, and for such year thereafter. The tax shall, without assessment by the Assessor, be due and payable to the Assessor on the 31st day of December in each year. If the tax is not paid within 30 days after each 31st day of December, there shall be added as part of the tax a penalty of 5 per centum, together with interest at the rate of one per centum for each full month from the time when the tax became due and payable

Notwithstanding anything contained in section 7 (e) this sub-section shall apply to Mutual Companies accepting premiums of life insurance within the Dominion.

Addition to  
Section 4.

6. Section 4 of the said Act is hereby further amended by adding a new sub-section (8) as follows:

- (8) Where permission has been granted to persons conducting or operating Lotteries, such persons

shall pay to the Assessor 12 per centum on the amount declared to be prizes or such like distributions, and such ~~tax~~ shall be due and payable by such persons immediately at the time when drawing takes place and before any prizes are paid.

7. Sub-section (a) of Section 5 of the said Act is here-Amendment of  
by amended by striking out the words "a discount or Section 5 (a).  
deduction of fifteen per cent," and substituting the words  
"a discount or deduction of five per centum."

8. Section 6 of the said Act is hereby repealed.

Repeal of  
Section 6.

9. Sub-section (4) of Section 8 of the said Act is herebyRepeal of  
repealed. Section 8 (4)

10. Sub-section (8) of Section 8 of the said Act is here-Amendment of  
by amended by striking out the words "fifteen hundred dol- Section 8 (8)  
lars or more per annum," and substituting therefor the  
words "one thousand dollars or more per annum."

11. Sub-section (a) of Section 19 of the said Act isAmendment of  
hereby amended by striking out the words "eight per cent Section 19  
um" and substituting therefor the words "twelve per cent-  
um."

12. Section 4 of the Act 21 George V., Chapter 24 isRepeal of Sec.  
hereby repealed. 4 of 21 Geo. V  
Cap. 24.

13. The changes made in this Act shall be deemed to  
have been effective from the following dates: Those in Sec- Dates from  
tions 1, 2, 3, 7, 8, 9, 10, 11 and 12 as from 1st January, which amend  
1931, and those in Sections 4 and 5 as from 1st January, ments are  
1932, and those in Section 6 as from 2nd March, 1932. effective.

14. The Act 20 George V., Chapter 36 and the Act 21Short Title.  
George V., Chapter 24, and this Act may be cited together  
as "The Income Tax Acts, 1929-32."



## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGH V. REGIS.

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*CAP. XXXVII.*

AN ACT TO AMEND CHAPTER 22 OF THE CONSOLIDATED STATUTES (THIRD SERIES) ENTITLED "OF THE CUSTOMS."

A.D. 1932.

(Passed April 30, 1932).

SECTION 1.—Amendment of Section 7, Chap. 22, C.S.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

Amendment of  
Section 7,  
Chap. 22, C.S.

1. Section 7 of Chapter 22 of the Consolidated Statutes (Third Series) entitled "Of the Customs" is hereby repealed and the following substituted therefor:

7. (1) All invoices of goods shall be made out in the currency of the country whence the goods are imported, and shall contain a true statement of

the value of such goods; and in computing the value for duty of such goods the said currency shall be converted into Newfoundland funds at such rate of exchange as has been ordered and proclaimed from time to time by the Governor in Council, who is hereby empowered to make such orders, and to vary the same from time to time as often as he may think fit.

- (2) The Order in Council of the 1st March, 1932, relating to the computation of the value for duty of goods imported into Newfoundland in respect of which the invoices are made out in United States currency shall be deemed to be an Order under this Act and to have come into and had effect as from the date thereof.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGH V. REGIS.

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CAP. XXXVIII.

A.D. 1932

AN ACT TO AMEND THE ACT 15 GEORGE V., CHAPTER 33, ENTITLED "AN ACT RESPECTING A TAX ON GOODS IMPORTED INTO NEWFOUNDLAND AND AMENDMENTS THERETO."

(Passed April 30, 1932)

Amendment to Act 15, Geo. V., Cap 33.

*Be it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:*

Amendment to  
Act 15, Geo. V.,  
Cap. 33.

1. Section 1 of the Act 15 George V, Chapter 33 is hereby amended by deleting the words "five per centum" and substituting therefor the words "seven and one-half per centum."

2. (1) Sub-section (a) of Section 2 of the said Act is hereby amended by deleting the words “two and one-half per centum” and substituting therefor the words “three and three-quarters per centum.”

(2) Sub-section (b) of the said Section is hereby amended by deleting the words “three per centum” and substituting therefor the words “four and one-half per centum.”

3. Schedule A of the said Act and all amendments thereto are hereby repealed and the following substituted therefor:

#### SCHEDULE A

Goods exempted by Act of the Legislature from taxes, duties or other charges.

Goods imported for trans-shipment or export out of the Dominion.

All coal for operation of, and materials for use solely for repairs, and upkeep of mills, transportation plant and accessories, for the manufacture and conveyance of paper and pulp.

Currants and sultana raisins, the products of the Kingdom of Greece, when purchased in and imported directly from Greece.

All articles named in Items 15, 30, 36, 37, and 39.

Articles covered by that portion of Item 86 reading: (Coal) “When imported or brought into any port or place in this Colony (other than St. John’s, Harbor Grace, Carbonear, Placentia, or Bell Island) to be used solely for domestic purposes, and on such Importer enter-

ing into a sufficient bond, with sureties, that such coal or any part thereof shall not be sold for other than domestic purposes.”

Articles covered by that portion of Item 101 reading:  
“Kerosene Oil and Refined Petroleum, and Gasoline.”

Goods non-dutiable by the Revenue Act.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGI V. REGIS.

CAP. XXXIX.

AN ACT FOR THE FURTHER AMENDMENT OF THE  
REVENUE ACT, 1925. A.D. 1932.

(Passed April 30, 1932.)

## SECTION

1.—Amendment of Schedules  
A, B, and D to the Rev-  
enue Act, 1925.

## SECTION

2.—Date at which amendments  
come into operation.

*Be it Enacted by the Governor, the Legislative Council and  
House of Assembly, in Legislative Session convened, as  
follows:*

1. The Act 15 George V., Chapter 34, entitled “The Amendment of  
Revenue Act, 1925” as heretofore amended, is hereby fur- Schedules A, B,  
and D to the  
Revenue Act,  
1925.  
ther amended by inserting in Schedules A, B and D the  
following changes:



## SCHEDULE A.

Add to Items 3, 7, 8, 9, 10, 11 and 14 the following  
“including weight of immediate package.”

- Item 15. Delete the word “Free” and substitute the words “per barrel—.50.”
- Item 27. Delete “.02” and substitute “.03.”
- Item 30. Delete the word “Free” and substitute the words “per barrel—\$2.00.”
- Item 33. Cooked Meat Specialties—delete “.02” and substitute “.03.”
- Item 36. Delete “\$1.50” and substitute “\$2.00.”
- Item 39. Delete the word “Free” and substitute the words “per barrel—\$2.00.”
- Item 43. Delete “.03” and substitute “.06.”
- Item 44. Delete “.03” and substitute “.06.”
- Item 52. Delete “.07” and substitute “.08.”
- Item 54. Delete the following—“Fish of British catch and cure, and oil, the produce of such fish, (not to include preparations of Cod Liver Oil),” and substitute therefor the words “Fish of British catch and cure (other than canned or hermetically sealed goods) and oil, the produce of such fish, (not to include preparations of Cod Liver Oil).”
- Item 65. Add the following—“Cocoanut, Cotton Seed, Olive, Palm, Sesame, N. E. S. when imported in bottle—ad val. 50 p.c.”

- Item 72. Sugar Candy and all Confectionery, including Almond Paste and Ground Sweet Almonds, Sweetened Gums (excepting Gums known as Chewing Gums) and Pop Corn—Delete “35 p.e.” and substitute “45 p.e.” Delete “25 p.e.” and substitute “35 p.e.”

Add to this Item the following:—

“Confectionery to be sold bona fide in bars and packages at a retail price of 5 cents, ad val—30 p.e. per lb—.01.

- Item 73. Marmalade—Delete “20 p.e.” and substitute 50 p.e.”

- Item 74. Delete “.07” and substitute “.08.”

- Item 75. Potatoes—Delete “.15” and substitute “.25.” Delete “Turnips” and insert as a sub-item: “Turnips—per bushel .40.” Cabbage—delete “.00 $\frac{3}{4}$ ” and substitute “.01,” and delete “.01 $\frac{1}{2}$ ” and substitute “.02.”

- Item 76. Delete “45 p.e.” and substitute “50 p.e.”

- Item 77. Add to this Item—“Sacramental Wines—Free.”

- Item 86. Delete the word “Free” and substitute the figures “.50.”

- Item 101. Delete the following “Kerosene Oil or Refined Petroleum. N.E.S.—Free” and substitute “Kerosene Oil or Refined Petroleum, including duty on package—per gallon .05.” Delete “Essential Oils.”

- Item 102. Skins, undressed, &c., delete “Free” and substitute “20 p.e.” Furs, undressed, &c., delete “Free” and substitute “20 p.e.”

Item 118. Delete “\$3.00” and substitute “\$4.00.”

Item 126. Delete “Free” and substitute “10 p.c.”

Add to this item as a sub-item the words:

“Fruit-bearing trees, shrubs and plants—Free.”

Item 141. Insert after the word “Pipes” the following words “and fittings for same.”

Item 152. Delete “48 p.c.” and substitute “50 p.c.”

Item 154. Delete “49 p.c.” and substitute “50 p.c.”

Item 161. Delete “48 p.c.” and substitute “50 p.c.”

Item 162. Delete “48 p.c.” and substitute “50 p.c.”

Item 163. Delete “48 p.c.” and substitute “50 p.c.”

Item 169. Delete “28 p.c.” and substitute “30 p.c.”

Item 173. Delete “48 p.c.” and substitute “50 p.c.”

Item 177. Delete “48 p.c.” in sub-items (a), (b), (c), (d), and (e) and substitute “50 p.c.”

Item 188. Delete “Radio Machines and Apparatus, Wireless Telephone and Telegraph Apparatus” and add as a sub-item—“188. (a) Radio Machines and Apparatus, Wireless Telephone and Telegraph Apparatus, ad val. 55 p.c.”

Item 194. Add after the words “pens for same” the words “and Machinery patented and of a kind not manufactured in this Colony, N.E.S.”

Item 195. Delete in this Item the words “and Machinery patented and of a kind not manufactured in this Colony, N.E.S.”

Item 233. Delete “45 p.c.” and substitute “50 p.c.”

Item 234. Delete “45 p.c.” and substitute “50 p.c.”

Item 242. Add after the word “Essence” a comma and the words “Essential Oils.”

Item 246. Add as a sub-item the following:—“246 (a). Glue when imported by manufacturers for use in the manufacture of packages made of Veneer cut from local woods—ad val. 10 p.c.

- Item 256. Add after the words "their manufactures" the following—"clear white pint bottles when imported by bona fide manufacturers for enclosing their manufactures."
- Item 267. Delete the following from this Item—"Books, printed and not to be written or drawn upon, and" and "Blackboards, Specimens, Medals and wall diagrams, illustrative of Natural History, and imported for Colleges, Schools and Public Libraries; Kindergarten Requisites."

Add the following sub-items:—

"267 (a) Bibles, Service Books, Prayer Books and Hymn Books—Free."

"267 (b) School Books and Technical Books, not exceeding \$5.00 in value, as shown by certified Customs Invoices—Free."

"267 (c) Books, printed and not to be written or drawn upon, N.E.S. ad val.—20 p.c."

- Item 273. Add as a sub-item the following:—"273 (a). Parts and accessories, including Jacks, Brake Oils, Radiator Cement, so called, for Automobiles or Motor Cars and other similar motor vehicles, N.E.S. ad val. 55 p.c."
- Item 288. Strike out "30 p.c." and substitute "55 p.c."
- Item 290. After the word "Instruments" add "and parts for same including needles."
- Item 324. Add after the letters "N.E.S." the words "including Blackboards and Kindergarten Requisites." Delete the word "Free" and substitute therefor the words "Half the normal rate of duty as applying to the article imported."
- Item 333. Delete the word "Free" and substitute therefor the words "Half the normal rate of duty as applying to the article imported."

Item 335. Delete the word "Free" and substitute therefor "Half the normal rate of duty as applying to the article imported."

Item 336. Delete the word "Free" and substitute therefor the words "Half the normal rate of duty as applying to the article imported."

### SCHEDULE B.

No. Goods	When subject to Drawback	Portion of duty (not including special duty or dumping duty) payable as drawback.
354 Coal	Delete second paragraph and substitute the following: "When imported into the port of St. John's and transferred to the Outports."	"A rebate of the duty paid shall be made to the supplier upon the production of proper evidence of the landing, and payment of the duty at the rate appropriate to the Outport."

Add an Item 356.

No.	Goods	When subject to Drawback	Portion of duty (not including special duty or dumping duty) payable as drawback.
356	"All ingredients when used in the manufacture of Confectionery, Jams and Jellies."	"When used by Manufacturers."	"33 1-3 p.c. of the duty paid upon the production of affidavit satisfactory to the Minister of Finance and Customs."

Add at the end of Schedule B the following note:

Wherever under this Schedule portion of duty (not including special duty or dumping duty) is repayable by way of drawback, tax, if any, under the Act 15 Geo. V. Cap. 33 and amendments shall also be repayable in the same proportion.

### SCHEDULE D.

Item 371. Delete ".02" and substitute ".01."

2. The changes in the several items in the preceding Section set forth shall be held to have come into effect at and from the following dates:—

Item 43—22nd March, 1932, 9.30 a.m.

Item 44—18th March, 1932, 9.30 a.m.

All other Items—2nd March, 1932, 9.30 a.m.

Date at which amendments come into operation.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

CAP. XL.

AN ACT FOR THE FURTHER AMENDMENT OF THE A.D. 1932.  
REVENUE ACT, 1925.

(Passed April 30, 1932)

## SECTION

1.—Amendment to Schedules  
A and B to the Revenue

## SECTION

Act, 1925.  
2.—Date of operation.

*Be it Enacted by the Governor, the Legislative Council and  
House of Assembly, in Legislative Session convened, as  
follows:*

1. The Act 15 George V, Chapter 34, entitled “ The  
Revenue Act 1925 ” as heretofore amended, is hereby <sup>Amendment to</sup>  
further amended by making in Schedules A and B <sup>Schedules A</sup>  
the <sup>and B to the</sup>  
following changes:— <sup>Revenue Act,</sup>  
1925.



## SCHEDULE A.

- Item 72. Delete the words and figures "2½ cents" and substitute the figures ".03."

## SCHEDULE B.

- Item 356. Delete the figures "33⅓ p.c." in the third column and substitute the figures "50 p.c."

Date of  
operation.

2. The changes in the several items in the preceding Section set forth shall be held to come into effect on the 21st day of April, 1932, at 9.30 a.m. Nothing herein shall be deemed to prevent the change in Item 356 made by the first Act of the present Session for the amendment of the Revenue Act from having effect as from the 2nd day of March, 1932, to the date in this Section mentioned.



ANNO VICESIMO SECUNDO

(SECOND SESSION)

## GEORGII V. REGIS

## CAP XLI.

AN ACT TO PROVIDE FOR THE ADDITION OF A.A.D. 1932.  
 TEMPORARY SURTAX TO CUSTOMS AND  
 EXCISE DUTIES AND IMPORT TAXES.

(Passed April 30, 1932).

## SECTION

1.—Surtax addition to Customs  
 and Excise Duties, etc.

## SECTION

2.—Surtax to be collected with  
 original tax.  
 3.—Period of operation of Act.

*Be it Enacted by the Governor, the Legislative Council and  
 House of Assembly, in Legislative Session convened, as  
 follows:*

1. For the purpose of providing additional revenue, <sup>Surtax addition</sup> there shall be added to and collected with all payments <sup>to Customs and</sup> of Customs duty and Excise duty and tax under the Act <sup>Excise Duties,</sup> 15 George V, Chapter 33 and amendments, an additional <sup>etc.</sup>

surtax or sum equal to three per centum of every such payment of Customs duty, Excise duty or tax under the said Act.

Surtax to be collected with original tax.

2. The said surtax or addition shall be deemed in every case to form part of the duty or tax to which it is added and all provisions of law relating to the said Customs duty, Excise duty or tax shall apply respectively to the said surtax or addition thereto.

Period of operation of Act.

3. This Act shall have effect from the first day of May, 1932, at 9.30 a.m. to the 30th day of June, 1933, at 5 p.m. inclusive.

## NEWFOUNDLAND



ANNO VICESIMO SECUNDO

(SECOND SESSION)

GEORGII V. REGIS.

CAP. XLII.

*An Act for Granting to His Majesty Certain Sums of* A.D. 1932  
*Money for defraying certain Expenses of the Public*  
*Service for the Financial Years ending respectively the*  
*Thirtieth day of June One Thousand Nine Hundred*  
*and Thirty-two and the Thirtieth day of June One*  
*Thousand Nine Hundred and Thirty-three, and for*  
*other purposes relating to the Public Service.*

(Passed April 30, 1932).

## SECTION

- 1.—Grant of Supplementary  
Supply for 1931-32.
- 2.—Grant of Supply for

## SECTION

- 1932-33.  
Schedule A.  
Schedule B.

MAY IT PLEASE YOUR MAJESTY :—

WHEREAS it appears that the Sums hereafter mentioned are required to defray certain expenses of the Public Service of Newfoundland and not otherwise pro-

vided for, for the financial years ending respectively the thirtieth day of June One Thousand Nine Hundred and Thirty-two, and the thirtieth day of June One Thousand Nine Hundred and Thirty-three, and for other purposes connected with the Public Service.

MAY IT THEREFORE PLEASE YOUR MAJESTY:—

That it may be enacted by the Governor, the Legislative Council and the House of Assembly, in Legislative Session convened, as follows:—

Grant of  
Supplementary  
Supply for  
1931-32.

1. From and out of the Consolidated Revenue Fund there may from time to time be issued by the Minister of Finance and the Controller of the Treasury sums not exceeding in the whole, \$1,506,584.47, (one million five hundred and six thousand, five hundred and eighty-four dollars and forty-seven cents), and the said sums so issued shall be paid and applied by the several Departments from the first day of July One Thousand Nine Hundred and Thirty-one to the Thirtieth day of June One Thousand Nine Hundred and Thirty-two, towards defraying the charges and expenses of the Public Service of the Dominion as set forth in Schedule A of this Act.

Grant of  
Supply for  
1932-33.

2. From and out of the Consolidated Revenue Fund there may from time to time be issued by the Minister of Finance and the Controller of the Treasury sums not exceeding in the whole, \$5,610,745.57, (five million six hundred and ten thousand, seven hundred and forty-five dollars and fifty-seven cents), and the said sums so used shall be paid and applied by the several Departments from the first day of July One Thousand Nine Hundred and Thirty-two to the Thirtieth day of June One Thousand Nine Hundred and Thirty-three, towards defraying the charges and expenses of the Public Service of the Dominion as set forth in Schedule B of this Act.

## SCHEDULE A.

Schedule A.

## SUPPLEMENTARY SUPPLY, 1931-1932

*Finance Department.*

## HEAD I.—

Interest on Public Debt. . . . . \$100,000.00

## HEAD II.—

Custody of Securities. . . . . 4,885.20

Outstanding 4 p.c. Bonds (1905)

Loan) . . . . . 2,500.00

Cable Tax—Refund under Clause

22 of Cable Act . . . . . 4,000.00

Finance Contingencies . . . . . 652.67

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 \$112,037.87
*Secretary of State's Department:*

## HEAD II.—

Prime Minister's Contingencies. . . . . 3,000.00

Reorganization Government Ser-

vice and Finance . . . . . 27,000.00

Memorial College Extension. . . . . 60,000.00

## HEAD XIII.—

General Contingencies. . . . . 10,000.00

Expenditure under Audit Act

Section 33 (b) . . . . . 50,000.00

## HEAD XIV.—

Elections . . . . . 40,000.00

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 190,000.00
*Division of Public Welfare:*

## HEAD II.—

Salaries . . . . . 450.00

## HEAD VII.—

Expenditure under Audit Act

Section 33 (b) for Able-

Bodied Relief . . . . . 525,000.00

Balance for Relief. . . . . 380,000.00

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 905,450.00



*Division of Public Health:*

## HEAD VII.—

General Public Health.....	69,632.92
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*Justice Department:*

## HEAD IV.—

Constabulary Department .....	1,010.00	
Deeds' and Companies' Contingencies .....	100.00	
Civil and Criminal Proceedings..	4,051.20	
Teacher Juvenile Prisoners.....	475.00	
Fines and Forfeitures Refunds..	6,008.47	
Justice Contingencies.....	54.00	
District Court Contingencies....	100.00	
Magistrates' Salaries .....	200.00	
Registration of Jurors.....	50.00	
Constabulary — Lodging Allowance .....	608.80	
Fire Department—Lodging Allowance .....	157.50	
Magistrates' Contingencies .....	350.00	
Maintenance of Order, Emergency Expenditure .....	38,000.00	
	<hr/>	51,164.97

*Public Works Department:*

## Head II.—

Pulverized Coal Burning Equipment, General Hospital.....	7,633.96	
Restoration of Public Buildings, Compensation, etc. ....	5,000.00	
	<hr/>	12,633.96

*Marine and Fisheries Department:*

## HEAD II.—

Salaries .....	575.00
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## HEAD IX.—

Maintenance S. S. Cape Agulhas	24,000.00	
Fishery Research Work.....	8,000.00	
Marine Works .....	17,900.00	
Lighthouse Maintenance.....	76,000.00	
	<hr/>	126,475.00

*Agriculture and Mines Department:*

## HEAD II.—

Contingencies ..... 200.00

## HEAD VIII.—

Forest Fires ..... 3,300.00

Agriculture ..... 13,000.00

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 16,500.00
*Customs Department:*

## HEAD XII.—

Salaries ..... 2,822.50

*Posts and Telegraphs Department:*

## HEAD XI.—

Salaries ..... 932.25

*Assessor's Department:*

## HEAD II.—

Contingencies ..... 297.00

*Board of Pension Commissioners:*

## HEAD III.

Military Pensions ..... 17,500.00

Medical Services ..... 1,138.00

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 18,638.00

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 \$1,506,584.47
*SCHEDULE B.*

## Schedule B.

*Sums Granted to His Majesty by the Act for the Financial  
Year Ending Thirtieth June One Thousand Nine Hun-  
dred and Thirty-three and the Purposes for Which  
they are Granted.*

*Finance Department:*

## HEAD I.—

Interest on Public Debt.....\$ 445,777.49

## HEAD II.—

Salaries—Finance Dept. ....\$ 14,790.00

Miscellaneous—Finance Dept. . 17,500.00

Salaries—Board of Liquor Con-  
trol ..... 6,210.00

## Dept. of Comptroller &amp; Auditor

General .....	18,180.00
Steamship Subsidies .....	35,000.00

## HEAD III.—

Civil Pensions .....	140,000.00
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## HEAD V.—

Legislative Council Salaries ...	4,245.00
Legislative Council Miscellaneous .....	1,500.00
House of Assembly Salaries...	33,965.00
House of Assembly Miscellaneous .....	5,000.00
Legislation—General .....	6,727.50

## HEAD XIII.—

Unforseen Expenditure .....	50,000.00
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 333,117.50
*Dept. of the Secretary of State:*

## HEAD II.—

Government House Salaries....	7,286.50
Government House Miscellaneous .....	900.00
Prime Minister's Department..	11,997.60
High Commissioner's Office....	12,650.00
Secretary of State, Salaries.....	14,688.00
Secretary of State, Miscellaneous .....	5,118.75
Miscellaneous Permanent Contingencies .....	5,540.00
Militia General .....	3,500.00
Vital Statistics Salaries .....	5,148.00
Vital Statistics, Miscellaneous..	1,770.00
Weights and Measures, Salaries	225.00
Weights and Measures, Miscellaneous .....	270.00

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 69,093.85

## HEAD XIV.—

Elections .....	
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20,000.00

*Division of Public Welfare:*

## HEAD VII.—

Salaries .....	10,140.00	
Relieving Officers .....	7,000.00	
Relief for the Poor.....	395,000.00	
Orphanages .....	34,188.50	
Charitable Societies .....	1,000.00	
Miscellaneous .....	9,860.00	
	<hr/>	457,188.50

*Division of Public Health:*

## HEAD VII.—

Salaries .....	19,304.00	
Hospital and Other Grants.....	57,500.00	
General Public Health .....	190,000.00	
	<hr/>	266,804.00

*Justice Department:*

## HEAD II.—

Salaries, Inside .....	10,238.00
Miscellaneous .....	1,350.00

## HEAD IV.—

Supreme Court, Salaries.....	15,892.92
Supreme Court, Miscellaneous..	4,510.00
Deeds and Companies, Salaries	5,418.00
Deeds and Companies, Miscel- laneous .....	850.00
District Courts, Salaries.....	5,406.30
District Courts, Miscellaneous..	1,050.00
Magistrates, Salaries .....	29,085.38
Magistrates, Miscellaneous ....	9,000.00
Court Houses and Gaols, Salar- ies .....	1,401.80
Local Constables, Salaries.....	403.00
Miscellaneous .....	19,200.00
Constabulary (Police) .....	236,508.50
Miscellaneous .....	36,810.00
Annuities .....	21,759.39
Constabulary Fire Depart- ment), Salaries .....	29,137.50
Miscellaneous (Fire Department	14,555.00

Additional Aid Reserve Men...	300.00
Pensions (Fire Department)...	7,063.88

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 449,939.67
*Bureau of Education:*

## HEAD II.—

Salaries .....	20,345.25
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## HEAD VI.—

Grants to Boards .....	213,179.01
Sparsely Populated Localities..	90,000.00
Superior Schools .....	22,746.70
Pupil Teachers .....	18,000.00
Augmentation .....	222,600.00
Colleges .....	35,069.43
Inspection .....	21,192.00
Industrial Education .....	3,017.61
Special Purposes .....	37,250.00
Erection, Remodelling, etc., School Buildings .....	10,000.00
Retiring Allowances .....	1,600.00
Memorial University College and Normal School.....	5,000.00

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 700,000.00
*Depts. of Lands and Fisheries:*

## HEAD II.—

Salaries Inside.....	65,173.10
Miscellaneous .....	10,000.00

## HEAD IX.—

Protection .....	46,600.00
General .....	25,000.00
Harbour Improvement .....	4,000.00
Blockhouse Maintenance .....	1,000.00
Lighthouses— Lighthouse Salaries .....	82,575.00
Lighthouse Maintenance .....	60,817.84

## HEAD VIII.—

Agriculture and Mines—Miscel- laneous .....	18,000.00
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 313,165.94

*Dept. of Posts and Telegraphs:**Postal Branch:*

## HEAD II.—

Department Salaries .....	32,134.00
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## HEAD XI.—

*St. John's Post Office:*

Money Order .....	
Registration .....	
Parcel Post .....	
Distribution .....	
Salaries .....	49,723.20
Travelling Mail Clerks.....	31,317.00
Sydney Branch .....	3,000.00
Outport Postmasters, Salaries...	55,185.56
Labrador Offices, Salaries.....	2,255.00
Couriers and conveyance of Mails	88,000.00
Miscellaneous .....	57,900.00
Steam Subsidies .....	238,900.75

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558,415.51
*Telegraph Branch:**Salaries, Central Staff and St.*

John's Office .....	52,564.38
Operators Outside, Salaries.....	106,842.58
Monthly Allowance Operators...	3,500.00
Repairers .....	16,664.40
Maintenance .....	24,000.00
Capital Account Repairs.....	30,000.00
Cable Tolls .....	9,000.00
Telephones, Salaries and Upkeep.	11,000.00
Wireless .....	20,000.00
Wireless Stations .....	7,500.00

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281,071.36
*Department of Customs:*

## HEAD XII.—

Salaries, St. John's .....	116,844.00
Contingencies .....	28,900.00
Collectors .....	57,224.95
Sub-Collectors .....	700.00
Tidewaiters and Boatmen.....	22,910.00
Boats and Boat Hire .....	1,000.00



Offices and Office Rent.....	2,000.00
Percentage on Duties.....	1,500.00
Contingencies .....	8,900.00
Preventive Service .....	22,000.00
Miscellaneous .....	6,000.00
Coal and Water Refunds.....	73,700.00
Refunds and Rebates.....	90,000.00

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 431,678.95

*Department of Public Works:*

HEAD II.—

Salaries, Dept. of Public Works	34,938.00
Printing, Stationery, Travelling Expenses .....	6,900.00
Insurance Public Buildings.....	8,300.00
Fuel Public Buildings.....	70,000.00
Light and Power, Public Build- ings .....	15,500.00
Taxes on Public Buildings.....	3,449.80
Public Buildings, Salaries, etc...	29,503.00
Repairs Public Buildings.....	30,000.00
Pulverized Coal Burning Equip- ment .....	4,000.00

HEAD IV.—

Court House .....	4,427.00
Penitentiary .....	22,381.00
Outport Court Houses and Gaols	6,550.00
Emergency Employment .....	200.00

HEAD VII.—

Hospital for Mental and Nervous Diseases .....	101,022.00
General Hospital .....	101,308.00
Tuberculosis Sanatorium .....	63,807.00
Home for Aged and Infirm.....	38,437.00
Fever Hospital .....	18,524.00
Emergency Employment .....	2,000.00

HEAD X.—

Roads and Bridges .....	25,000.00
Ferries .....	16,000.00

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 602,246.80

*Pension Board Commissioners:*

## HEAD II.—

Salaries ..... 11,385.00

## HEAD III.—

War Pensions ..... 653,905.00

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665,290.00*Assessor of Taxes:*

## HEAD II.—

Salaries ..... 10,356.00

Miscellaneous ..... 3,600.00

Income Tax Refunds..... 3,000.00

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16,956.00

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Total .....\$5,610,745.57

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